

**LOUISA COUNTY BROADBAND AUTHORITY  
BOARD OF DIRECTORS  
LOUISA COUNTY OFFICE BUILDING  
1 WOOLFOLK AVENUE  
LOUISA, VIRGINIA  
December 7, 2016 7:00 P.M.**

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

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

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**CALL TO ORDER**

Mr. Wermter called the December 7, 2016 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. Sullivan, which carried by a vote of 5-0, the Board voted to adopt the December 7, 2016, agenda.

**APPROVAL OF MINUTES**

**October 5, 2016- Regular Meeting**

There were no comments or objections.

**October 25, 2016- Worksession**

It was stated that there should be a limit to what is said during working sessions to decisions that were made as a result of that meetings, not the dialogue that occurred throughout the meeting, but rather a summary of the details. It was stated that revisions should be made to the October 25<sup>th</sup> worksession before approval. Mr. Hardy volunteered to review the October 25<sup>th</sup> minutes and to include them in the next board packet for the January 4<sup>th</sup> meeting.

On the motion of Mr. Hill, seconded by Mr. Sullivan, which carried by a vote of 5-0, the Board approved the October 5<sup>th</sup> minutes.

On the motion of Mr. Duren, seconded by Mr. Hill, which carried by a vote of 5-0, the Board voted to reject the October 25<sup>th</sup> minutes until further review.

## **NEW BUSINESS**

### **Update on the USDA Rural Telecoms Grant**

Mr. Wermter stated that Richard Jenkins was the USDA rural telecoms representative. Mr. Wermter stated that USDA had rural telecoms funding, and hoped to have grant funds posted by January 1, 2017. He stated that Louisa County fell within the rural grant category, and that funds could be used for operational funding for up to \$3 million on several projects (\$3 million per project cap). It was clarified that the funds could be used for either constructional or operational projects.

Mr. Wermter stated that the project had to be a public-private partnership. He stated that Mr. Jenkins had informed him that multiple projects could overlap and take place in the same areas. Mr. Wermter stated that guidelines for the potential funding still had to be posted.

Mr. Wermter stated that Mr. Jenkins' assessment was that any funds that the county had put up or was in the process of putting up could still be used.

Mr. Hardy stated his concern about supplanting funds. There was further discussion regarding the way in which to present projects for grant application.

Mr. Wermter stated that the Telecoms also had a loans program which could be useful in the future, although he stated that the grant was more attractive to the BBA at that time.

It was asked whether there were plans to advise potential firms that could enter into public-private partnerships. Mr. Wermter stated that it might be advantageous to post on the county website.

### **AcelaNet Proposal**

Mr. Lon Welchel, CEO of AcelaNet, was present to speak about service guidelines.

Mr. Wermter stated that Mr. Jenkins had indicated that service guidelines in the county would stay at 5.1 for the coming year but that requirements for the service being implemented would be at 10.1.

Mr. Welchel stated that the DHCD grant and guidelines consisted of working with a provider and a government entity (\$1 million in 2017 and \$1 million in 2018) which was due December 21<sup>st</sup>. He stated that there were several projects that could easily fall in line with the grant in the county.

He stated that the other proposals were taking a look at the existing towers and vertical assets in the county in order to rapidly deploy services. In conjunction with that, Mr. Welchel stated that there were many vertical assets in the county that could eliminate taxpayers having to maintain towers over time. He also stated that there are a lot of changes coming up with the FAA and

lighting requirements on towers.

Mr. Welchel stated that another proposal was to review all infrastructure and determine the expense and benefits working with property owners in putting up towers, rather than the county acquiring land and putting up smaller structures. He explained that this would reduce the cost and deployment of infrastructure.

Mr. Clay Stewart, Chief Operations Officer of AcelaNet, stated that Louisa is the number one county that the company is working with because of the infrastructure and CVAlink. Mr. Stewart stated that AcelaNet has a finite five year goal of bringing wireless and fiber to Central Virginia.

Mr. Stewart gave examples of the growth of AcelaNet in surrounding counties. He stated the importance that the LCBA take these towers into consideration of future plans. Mr. Stewart stated that AcelaNet would be giving their wireless coverage data to counties, in order to prevent counties from spending additional and unnecessary funds on broadband.

Mr. Stewart stated that Louisa citizens would be very pleased with the technological resources that would be going onto AcelaNet towers in the future.

There was further discussion on the areas of coverage.

Mr. Wermter asked whether all Authority members had had a chance to review the LTE proposal that was sent out in October. It was requested that a brief summary be given of the proposal in order to approve.

Mr. Wermter gave a brief summary and asked what the county would be getting from LTE.

Mr. Stewart stated that AcelaNet conducts frequency analysis weekly and the importance of conducting these tests.

There was discussion on the value of conducting the tests and what the benefit to the Authority would be. Mr. Sullivan stated that this avenue would not provide the county with the shortest plan to the project's needs and goals. Mr. Hardy stated that using existing technology might limit the service area for a tower, whereas using the updated technology available could expand the range of service per tower.

Mr. Sullivan stated that Dr. Cohill had been hired to design the county's network for the Authority. If it were something viable to the project, than he would of proposed it. It was stated that energies should not be spent on this avenue by allocating money for a specific subset of Louisa County.

Mr. Wermter stated that he considered the proposed project as a spot test. Mr. Wermter asked Mr. Welchel to clarify how the test could be beneficial to the Authority.

Mr. Welchel stated that to test it out, it would use LTE. Mr. Stewart stated that the grant was

meant to be provided to a section(s) of a county that are unserved. He stated that it was not a test for AcelaNet and that the technology was so new since the county had put out RFP's. He stated that the grant would only cover a tower or two, but that would allow the project to expand faster.

Mr. Stewart further discussed the plan for the project.

It was clarified that by partnering with AcelaNet, Louisa County would hopefully be receiving information in order to avoid mistakes that other counties had made with their projects. Mr. Hardy stated that an eleventh tower in an additional area would be served.

There was further discussion on the proposed approval of the grant. Mr. Wermter stated that the proposal was requesting \$24,000 from the Broadband Authority whereas the DHCD grant would provide eight percent of the funding.

Mr. Welchel stated that the DHCD grant was written so that a government entity and provider could have funding for infrastructure. Mr. Wermter suggested tabling the discussion until the next worksession. Ms. Monolo stated that county compliance procedures would need to be in order so that the grant could be approved.

Mr. Wermter stated that the approval should be tabled until these questions had been answered and scheduled discussion during the next work session on December 21<sup>st</sup>. Mr. Welchel clarified that the grant submittal was due by 5 p.m. on December 21<sup>st</sup>.

Discussion ensued regarding the legality of posting the offer publicly and the timeframe. Mr. Wermter stated that the wisest course of action would be to table the discussion until Ms. Monolo had had time to research other possibilities. Therefore, the Authority would defer the acceptance of a proposal until a later date and still proceed with an application for a grant.

Mr. Sullivan asked what the timeframe for the project would be. Mr. Welchel answered that the project would have to be completed by the end of January 2017.

There was discussion on the funding contributions that each party would be responsible for. Mr. Wermter asked whether the Authority wanted to consider voting on the MOU during the current meeting or table it until the MOU was written for consideration.

Mr. Stuart reiterated the importance of having a shovel ready project as the future of broadband was not known. Mr. Wermter stated that he would like to either commit to moving forward with an MOU for the DHCD project or not.

Discussion ensued regarding the purpose and approval to move forward with the DHCD grant.

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 4-1, the Board voted to move forward with drafting an MOU with AcelaNet to pursue the DHCD grant funding.

**Discussion Item- Virginia Cable Telecom Association (VCTA) Update**

Mr. Wermter read a letter from Michael Lockaby that was sent to the Authority within recent weeks. Mr. Wermter stated that Mr. Lockaby wanted to make the Authority aware of pending telecom legislation although there was no further information at that time, and there was no need for action.

Mr. Wermter stated that Mr. Lockaby's letter suggested that the proposed legislation could potentially prevent local broadband authorities from giving their own preference to their own broadband authority. The telecom legislation memo was attached.

Mr. Wermter clarified that the VCTA was not sponsoring the legislation but was notifying broadband authorities of the potential telecom legislation at the state level in Virginia.

Mr. Wermter asked the Authority's Government Outreach Committee to communicate with Mr. Lockaby in order to determine if this was an action item for the Authority.

#### **Discussion Item- Update on Roanoke Valley Broadband Authority**

Mr. Wermter stated that Frank Smith with the Roanoke Valley Broadband Authority wanted to communicate with the Authority. It was stated that Mr. Luttner and Mr. Burruss were on the Extracounty Broadband Interface. Mr. Wermter asked that the committee reach out to Mr. Smith.

#### **UNFINISHED BUSINESS**

##### **Discussion Item- Status Report on Tower Construction**

Dr. Cohill gave an update on the status report of tower construction. He stated that the school sites were much better than expected and that he had spoken with the schools' Information Technology Director, Mark Outten, who seemed enthusiastic about the project. Dr. Cohill stated that he would be setting up a meeting with Mr. Outten the following week to discuss what was being planned.

Mr. Hill asked who would give the final authority to build the towers at the school. Dr. Cohill indicated that the authority was up to the Louisa County School Board. Dr. Cohill stated that it would most likely have to be put to a vote.

Dr. Cohill stated that Mr. Outten had voiced his concern about guide wires so they were looking at putting up self-supporting towers, and placing them at the far ends of open fields so they would be away from children. Dr. Cohill indicated that there was an existing tower at the high school that Mr. Outten had requested be moved and the radios be moved to the new tower. Dr. Cohill indicated it would be a fairly simple job to move.

Mr. Hill asked how much extra it would cost roughly per tower for the self-supporting versus the guide wire towers. Dr. Cohill stated that it would roughly cost about \$25,000-\$30,000 per tower.

Dr. Cohill stated that the smaller wooden utility poles had two purposes: in a neighborhood, they can provide service to multiple homes or someone could choose to put one on their property, which was what had been done in the Lake Anna area.

Dr. Cohill stated that there were many questions at the last meeting in regard to propagation studies. He stated that all propagation studies had since been revised and parameters had become more conservative, as provided in the packet at the meeting.

It was stated that there seemed to be enough space to put up a guide tower at Jouett Elementary School.

Discussion ensued about the cost of putting up fences around each guide wire tower and preference of guide wire versus self-supporting towers.

Dr. Cohill stated that Mr. Outten was open to having the school towers at the far edge of open space, however he would not have the authority to make the final decision. According to Dr. Cohill, Mr. Outten also seemed interested in the idea that the schools could use the radio backhaul.

There was further discussion regarding the maps provided and signal strength.

Dr. Cohill stated that the immediate task would be to move ahead with discussions with the School Board so that they would hopefully approve the school sites. It was mentioned that the project should be put out as an IFB.

Mr. Hill asked Dr. Cohill if the information was specific enough for a bid. Dr. Cohill stated that the current written format would allow a single bidding process for all of the sites. Dr. Cohill stated that the difficulty was that because the tower construction companies did not know exactly where all of the sites were, the unit pricing could be a little higher than if exact site location was known. Dr. Cohill stated that he would be surprised if the difference in pricing would be more than ten percent. He stated that the Authority would be able to identify sites (there was no maximum number) and would then tell the company bidding that they would use the pricing based off of the unit pricing.

There was further discussion on IFB versus RFP options and which would be more beneficial for the project at hand. Ms. Monolo stated that for construction projects, an IFB was preferred.

Mr. Sullivan asked whether there had been an updated schedule since October 5, 2016. Dr. Cohill stated that there had not been. Mr. Sullivan stated that the schedule should be updated in order to properly manage project deadlines.

There was further discussion on site identification and optimal tower locations.

Dr. Cohill stated that fast-track sites were considered to be county or school owned sites, not privately owned sites, since privately owned sites would take months to negotiate.

Mr. Hill stated that one course of action would be to identify two or three fast-track locations and put two proposals out.

Mr. Sullivan stated that an alternative course of action would be to identify all seven to ten sites up front and provide the information to Dr. Cohill in order to move forward with the project.

There was further discussion regarding site identification and tower specifications.

Mr. Wermter stated that there were two towers shown on the propagation map (P6 and P7) that seemed to be agreed upon locations. It was asked that P5 and P3 be eliminated from the fast-track project.

Further discussion ensued regarding the towers. Mr. Hardy suggested having a tower at P4 but to eliminate the pole there.

It was stated that it might be beneficial to put a tower at the high school as it might be useful for a service provider to buy internet backhaul from Comcast and connect them at that site.

Dr. Cohill stated that one thing he was evaluating at the moment was whether to put up a small shelter at the tower where service providers would co-locate. Further discussion ensued.

Mr. Sullivan suggested that the Authority identify all sites upfront and give guidance to Dr. Cohill in order for him to move forward or divide site identification into two phases. He stated that decision-making needed to be clear and coherent.

Mr. Wermter clarified that the Authority had previously decided to fast-track some towers although it was not stated in the minutes. He stated that they would fast-track some towers and delay others, partly for political considerations and concerns about cost.

Ms. Koren stated that it was not possible to identify all ten sites because they were constantly moving targets.

Mr. Wermter stated that the Authority believed that they had identified four sites to fast-track and were virtually at a consensus. He stated that P6 and P7 were very good areas. The location at P4 was at the Louisa County High School which would provide a strong political benefit in giving the School Board a reason to be involved with the project and to move forward. The other location was P2 at Moss Nuckols Elementary School, which would pose as a potential problem as AcelaNet had just put a local subdivision tower there that they were experiencing issues with since it was only reaching half of the subdivision.

Mr. Welchel stated that the Wisps would say they had contracts to go on every tower in the county, although they were not on every tower. He stated that they would say it was because the fees on most towers were too high to make a profit on 150-200 customers. Mr. Welchel stated that in his company's opinion, not putting a tower near a cell tower would not automatically eliminate their interest in the site.

Mr. Wermter stated that discussion on site identification in the Trevilians should be delayed until closed session at another meeting.

Dr. Cohill stated that they could prepare more detailed site plans on the four locations immediately. He stated that there was no reason why the RFP could not be out in January 2017.

Mr. Sullivan stated for clarification purposes, the locations would be at three school sites, Moss Nuckols Elementary School, Louisa County High School, and Jouett Elementary School as well as one private property that he would personally take action to look into. He also stated that he assumed that three of the sites would require approval from the school board and that it might be an eight to twelve week process to get approval from the school board.

Mr. Wermter stated that it would probably be about an eight week process, but that everyone seemed fairly open about the project. Mr. Sullivan suggested revisiting the schedule with the new timeline in mind, knowing that there was a new critical path. Mr. Wermter stated that they were getting guidance to push forward on the sites.

Therefore, it was clarified that the site locations at P2, P4, P6, and P7 were chosen for the fast-track project.

Dr. Cohill stated that the biggest concerns with the school locations was whether there was adequate space away from the schools to place the towers. He stated that there seemed to be and that the locations should be at the low end of expected construction costs. He stated that Mr. Outten had expressed particular interest in redundancy that the backhaul network would provide.

Mr. Sullivan inquired as to whether Dr. Cohill anticipated a potential dead zone between the tower locations between Shannon Hill and Haydensville. Dr. Cohill stated that LTE coverage was evaluated during the Design Nine study, and that LTE vendors stated that LTE with broadband only would not perform any better than at 2.4 and 5.7 frequencies. Dr. Cohill stated that it did appear that at least one vendor had redesigned LTE equipment for broadband in the last year and a half. He stated that the problem with radio frequencies was that the bigger the radius was, the more the bandwidth lessened, and radios would have to be added which would increase the cost.

Mr. Wermter stated that going forward, the Authority would give Dr. Cohill the guidance to develop the sites more fully and develop an RFP.

There was discussion on the cost of labor in the bid estimate of the RFP.

There was additional discussion on backhaul and radios. Mr. Wermter suggested holding the discussion until a later date as it would be considered under a possible third RFP.

Mr. Hardy agreed that backhaul should be included in the first four towers that would be fast-tracked as the price would not be much more significantly higher. There was further discussion on the need for backhaul at all four fast-track locations.

Mr. Wermter clarified that there was a consensus to request guidance on all four fast-track locations for Dr. Cohill, and three of the sites with the inclusion of backhaul radio, as it would be useful for the schools.

There was a brief discussion on the tower lease and ownership on Chopping Road (Route 623). Mr. Wermter asked Mr. Hardy to get a price estimate of the tower and investigate the need for a tower at that location in order for the Authority to decide if it needed to be purchased.

There was a brief discussion on the maintenance and location of the Route 623 tower.

**PUBLIC COMMENTS**

There were none.

**PUBLIC HEARINGS**

There were none.

**CHAIRMAN/GENERAL MANAGER'S REPORT**

There was none.

**WEBSITE UPDATES**

There were none.

**FINAL COMMENTS**

There were none.

**NEXT MEETING**

The next Broadband Authority meeting will take place on Wednesday, December 21, 2016, at 7:00 pm.

**ADJOURNMENT**

On the motion of Mr. Hill, seconded by Mr. Duren, which carried by a vote of 5-0, the Board voted to adjourn the December 7, 2016, regular meeting at approximately 9:47 p.m.

BY ORDER OF:

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GARTH WERMTER, CHAIRMAN  
BOARD OF DIRECTORS  
LOUISA COUNTY BROADBAND AUTHORITY