

**LOUISA COUNTY BROADBAND AUTHORITY
LOUISA COUNTY OFFICE BUILDING
1 WOOLFOLK AVENUE
LOUISA, VIRGINIA
November 7, 2018 7:00 P.M.**

Present: Mary Johnson, Jeffrey Zivick, Melvin Burruss, Timothy Layne, Jim Ogg (non-voting)

Absent: Tommy Barlow, Mark Luttner, Duane Adams, Bernie Hill, Ed Jarvis

Others Present: Bob Hardy, Louisa County Information Technology Director, Angela Daniels, County Attorney

CALL TO ORDER

Ms. Johnson called the November 7, 2018, regular meeting of the Broadband Authority (BBA) Board of Directors to order at 7:00 p.m.

Ms. Johnson led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

On the motion of Mr. Layne, seconded by Mr. Burruss, which carried by a vote of 4-0, the Authority voted to approve the November 7, 2018 agenda, as amended, with the following changes:

- Added a discussion item on CUP2018-09; Anna River to New Business;
- Added a discussion item on post implementation audit to New Business;
- Correction to item “i” under Unfinished Business to reflect “Trevilians Site Plan Status;”
- Added a discussion item on the timeliness of consultant report to Unfinished Business; and
- Added a discussion item on the website updates to Unfinished Business.

APPROVAL OF THE MINUTES

Mr. Burruss asked for the October 3, 2018, minutes under Director and Liaison Reports to reflect the following statement revisions:

- “Mr. Burruss stated what is the current status of the website”
- “Mr. Burruss asked if the Chair would contact Ms. Hickmann and discuss the marketing design of the website.”

Ms. Johnson recommend the pages of the minutes be numbered.

Ms. Johnson stated the October 3, 2018, minutes, under Discussion – LCHS, Jouett Elementary, and Moss- Nuckols School Tower Construction Update it is to read guy wires and not guide

wires.

Mr. Zivick said on the October 17, 2018, minutes need to reflect Site Wide Lease.

On the motion of Mr. Zivick, seconded by Mr. Layne, which carried by a vote of 4-0, the Authority voted to approve the October 3, 2018, regular meeting minutes, and the October 17, 2018 work session, as amended.

PUBLIC COMMENT

None

NEW BUSINESS

NTIC Conference

Ms. Johnson stated the Authority Members who went to the NTIC Conference are not present and to put it on next month's Agenda.

CUP2018-09 NTC Anna River Application

Ms. Johnson referenced the map handout of where National Tower Appropriation is proposing a 198ft cell tower. Ms. Johnson stated Community Development would prefer the Authority to do ~~is~~ solicited any comments and concerns.

Mr. Ogg asked if the Authority has the ability to connect to the tower, since they review and provide recommendations on the tower CUP's.

Ms. Johnson stated unfortunately the current law is under litigation to change a locality's ability to request or deny space on a tower.

Mr. Burruss asked how this fit with the information Mr. Hardy has given the Authority.

Ms. Johnson said it does not fit, since it is at the opposite end of the County.

Mr. Hardy explained the map handouts to the Authority and explained what towers are covered in this area.

On the motion of Mr. Zivick, seconded by Mr. Layne, which carried by a vote of 4-0, the Authority voted to issue a statement back to the Planning Commission stating the Authority has no objection to the proposed CUP2018-09 application.

Post Implementation Audit

Ms. Johnson said the Authority had a small committee to check to see if the deliverables were met with the contracts before payment was made.

Mr. Burruss asked how often this audit will occur.

Mr. Zivick stated he was unable to check on the deliverables this month. Mr. Zivick followed up on Mr. Burruss' question stating it is his understanding it is an ongoing assessment of Wide Open Networks performance of deliverables they produce.

Discussion ensued regarding the Post Implementation Audit.

UNFINISHED BUSINESS:

Discussion – Timeliness of Progress Report

Ms. Johnson said the Authority received a late status report update from Mr. Sid Boswell.

Mr. Hardy stated Mr. Boswell said there is no progress to report, everything is the same due to the weather. Mr. Hardy said we do, however, have power to LCHS, but is unsure of the fencing.

Mr. Boswell joined the meeting via phone.

Ms. Johnson stated the Authority strongly feels they should receive a report in a timely manner, regardless if there is anything to report or not. Ms. Johnson asked Mr. Burruss what he would consider a timely manner.

Mr. Burruss said every two weeks, at the minimum.

Mr. Boswell stated he has no issue sending out a weekly or bi-weekly report on updates.

Discussion – LCHS, Jouett Elementary School, and Moss-Nuckols Elementary School Tower Construction Update

Ms. Johnson stated the gravel delivery for LCHS and power service is complete. She added the fencing still needs to be completed and the propane tank inspection and fill is pending. The radios for LCHS and Jouett were delivered November 6th, and are waiting to be installed.

Mr. Boswell said Hercules Fence was on site at LCHS on Tuesday of this week, but determined it was too wet and needed it to dry out before proceeding. The power has been installed since the last meeting. Foster Fuels is expected to deliver and install the tanks, but Mr. Boswell said he has not confirmed a date on when .Mr. Boswell has informed Mountain Valley the radios for LCHS and Jouett are ready to be picked up. Mountain Valley has requested the packing slips to make sure all the materials are included before scheduling a date. The cabinet and the generator have not been hooked up at this time since there is no power. The radios for the Elementary tower are on hold because there is no license for them. Mr. Boswell stated the license was put on hold when it was determined the County admin tower was not suitable.

Ms. Johnson asked for clarification on the radios on the County admin tower.

Mr. Hardy stated the original design was to have the County tower be the center point between the schools, however, the tower is not sufficient in having the radios on it. Mr. Hardy said they are looking for an alternative and are speaking with SCS in regards to the Chopping Road tower. He said the Authority will need to pay for an engineering study to show the tower can handle the antennas. Mr. Hardy stated there are two quotes already and we are waiting for a third. Mr. Hardy said the only radios they are able to put up as of now are Jouett to LCHS.

Questions and comments were addressed by the Authority regarding the Towers.

Discussion – Proposed Towers

Trevilians Site Plan Status

Ms. Johnson stated Mr. Boswell has contracted with Bell Surveys to get the Trevilians' Site Plan done. Ms. Johnson said the building permit approval is pending, the tower has been ordered, and the Site Plan change is pending approval.

Mr. Boswell stated in the original quote from Mountain Valley for the Trevilians tower, the tower was self-standing. Mr. Boswell said during the planning and CUP process the tower was changed to be a guyed tower. Mr. Boswell stated there will be a small impact in price since there is more infrastructure work required at these locations. Mr. Boswell said he has been working with Mountain Valley to submit a change order based on the outcome of the CUP process. He said Mountain Valley indicated they would prefer to wait for the approval of the final Site Plan.

Ms. Johnson asked if Bell's Survey has given a date as to when the site plan will be done.

Mr. Boswell said he had hopes it would be done before today's meeting, but unfortunately, it did not happen. Mr. Boswell stated he has been in contact with Bell's Survey today answering the final questions on the County's check list, and is hopeful it will be completed tomorrow or Friday.

Mr. Hardy asked if Mr. Bowles wanted to wait for the pending site plan approval before he gives the difference in price.

Mr. Boswell stated yes, he would like to wait.

Discussion ensued regarding the change order and guy wires.

Update on potential tower location for Holly Grove area

Ms. Johnson stated there was a Site Plan meeting on the Holly Grove area tower. Ms. Johnson, Mr. Layne, and Mr. Hardy met with property owners and reviewed the site. She added the site is appropriate for a tower. Ms. Johnson asked Mr. Hardy to run some numbers to see what kind of coverage the Authority could get. Ms. Johnson reference Mr. Hardy's handout with the potential options:

1. Cross County Road

2. West Chapel Property
3. Owen's Creek
4. Gammon Town Road

Mr. Hardy referenced a map handout and explained it to the Authority members.

Mr. Zivick asked if it is in Wide-open Networks contract to do an estimate of the site development cost.

Mr. Hardy stated they could, but we have a contract with Mountain Valley already in place for this. Mr. Hardy said we gave Mountain Valley the sites and they gave us a price on the sites.

Further discussion ensued amongst the Authority regarding the site development cost.

Mr. Hardy stated he will get with Mountain Valley and have them provide quotes on Gammon Town and River Bend Road.

Buckner Bumpass Park

Mr. Hardy said they are still working on an option agreement with NCT. The option agreement contains information regarding the ground lease.

Ms. Johnson asked what is delaying the option agreement.

Mr. Hardy stated it included significant information for a ground lease that the Board of Supervisors will need to approve since they are leasing County property. The agreement will go before the Board at their December 3, 2018, meeting.

Discussion – System-wide Lease RFP

Ms. Johnson stated they had a respondent for the RFP and asked Mr. Hardy if the RFP has been executed.

Mr. Hardy said it has been signed and executed. Mr. Hardy stated they will be putting temporary equipment up on the tower.

Questions and comments were addressed by the Authority regarding the System-wide Lease.

Discussion – Systems Operations (Towers, Backhaul, and Fiber)

Mr. Hardy stated there is an issue with Rt. 33, and they are looking into going a different route. Mr. Hardy said Rt. 33 is a prescript of easement road therefore, property owners own into the middle of the road.

Ms. Johnson asked how this affects the Authority.

Mr. Hardy stated the fiber provides a better system and makes available for someone to provide service to customers if they choose. Mr. Hardy said the schools definitely wants the fiber there and had E-Rate Project pay for the fiber. Mr. Hardy added there is a time limit on the E-Rate Project.

Discussion – Co-location of Louisa County EMS Radio Towers

Mr. Hardy stated they are on schedule as soon as the site plan is approved and built. He explained the engineers who are designing the Public Safety Radios are focusing primarily on making sure the radios work at their best. Mr. Hardy said cell carriers prefer high heights and there is discussion if sites at the top of the tower are available. Mr. Hardy said he met with an insurance group, and they indicated they need to wait until it goes through the insurance testing.

Website Updates

Mr. Burruss stated he feels the Authority should be giving the public progress reports, and what is coming down the pike. Mr. Burruss suggested either a website or brochures.

Discussion ensued amongst the Authority regarding the proposed draft meeting minutes.

Mr. Hardy stated the draft minutes are available to the Authority two weeks in advance to the meetings and suggested posting these minutes to the website/ Facebook with the draft watermark. Mr. Hardy said in previous discussion, Mr. Hill said he did not want the draft minutes posted because they had not been approved yet.

Mr. Burruss suggested showing maps of where the coverage will be.

Mr. Zivick stated he highly discourages putting anything on the website that shows coverage.

Questions and comments were addressed by the Authority regarding the website.

TREASURER’S REPORT /APPROVAL OF THE BILLS

Mr. Hardy indicated he is still waiting for signatures of approval on a couple of bills, from Mr. Hill and SCS.

PUBLIC COMMENTS

Mr. Alan Apple, Cuckoo District, stated the Authority has spoken of several towers Louisa, Verizon, etc. Mr. Apple said he is curious to know what the goal is and is there going to be a certain number of towers.

Ms. Johnson stated the Authority started four years ago, and the plan was to construct ten towers throughout the County and provide the infrastructures, radios, and backhaul that would provide wireless internet servers to locate on these towers. Ms. Johnson said the Authority does not do control service, and does not sell internet service. The Broadband Authority is constructing the towers.

Further discussion ensued between Mr. Apple and the Authority regarding the goals and opportunities for the towers.

Ms. Joanna Hickman, Mineral District, expressed her concerns to the Authority regarding the lack of communication with the public. Ms. Hickman stated she had a couple of questions:

- The construction towers, the ISP that are on the towers will their charges to the public reflect they have not constructed a tower, or will they be the same equivalence prices if the Authority was to use a private provide as in Verizon?

Ms. Johnson stated this would be their decision.

Ms. Hickman said the Authority is providing the funds for the tower construction but they are not limiting the fees they would charge the public.

Ms. Johnson stated they are not, since where the towers are located they do not have the density or the customer base to reduce the fees.

Questions and comments were addressed by the Authority regarding Ms. Hickman's concerns.

CHAIRMAN/GENERAL MANAGER'S REPORT

Ms. Johnson stated she will not be at the December 5, 2018, meeting and will get with Mr. Hill on information for this meeting.

DIRECTOR AND LIAISON REPORTS

None

CONSENT AGENDA

None

CLOSED SESSION

None

ADJOURNMENT

On the motion of Mr. Layne, seconded by Mr. Zivick, which carried by a vote of 4-0, the Board voted to adjourn the November 7, 2018, regular meeting at approximately 9:07 p.m.

NEXT MEETING

The next Broadband Authority meeting will take place on Wednesday, December 5, 2018, at 7:00 p.m.