

## MINUTES

### Regular Meeting of the Board of Directors of the Eastern Shore of Virginia Broadband Authority

July 20, 2017

Board members in attendance were: Pete Lalor, Elaine Meil, John Reiter, Mike Mason, and Charles Kolakowski.

ESVBA management participating in the meeting who were in attendance: Nicholas Pascaretti and Leah Hoopes (Secretary)

Members of the public attending were:  
Glen Salmon, Ron van Geijn, Spencer Murray, Joe Betit, Mike Zodun, John Eatherly, and Pat Coady

Elaine Meil called the meeting to order at 2:00 pm.

#### **AGENDA ADOPTION**

*Mr. Mason motioned to amend the agenda to add the Broadband Stakeholders Meeting Report and the Whistle Blower and Fraud Policies to New Business as well as a Rate Reduction Comment before Item A under Old Business. Mr. Lalor seconded. Motion passed unopposed.*

#### **CLOSED SESSION**

Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended; ) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probably litigation, and consultation with legal counsel employed or retained by the Authority regarding specific legal matters requiring the provision of legal advice by counsel. Paragraph 34: Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6 made by Mr. Reiter, seconded by Mr. Lalor. The following board members were present Mr. Lalor, Ms. Meil, Mr. Reiter, Mr. Mason, and Mr. Kolakowski and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Mr. Lalor, seconded by Mr. Reiter that the Board had entered the closed session for that purpose as set out in Paragraph 7 and Paragraph 34 of Section 2.2-3711 of the Code of Virginia of 1950, as amended. Roll call vote taken Vote was that no other business discussed than as advised in Paragraph 34. The following board members were present Ms. Kolakowski, Mr. Reiter, Ms. Meil, Mr. Mason, and Mr. Lalor and voted affirmative.

### **PUBLIC COMMENT**

**Ron van Geijn-** Mr. van Geijn asked that the board consider a Work Session Meeting to discuss EVPL rules and evolvement.

**Glen Salmon-** Mr. Salmon requested that the Meeting Minutes on the website be kept up to date in order to keep the public updated. He believes that ESVBA is not in competition with companies such as Verizon since they do not intend to provide fiber to the home. Mr. Salmon presented a project called the Hawkeye pi camera which uses about 2.5 GBs and sharing it takes days at a time with his current service provider.

**Mike Zodun-** Mr. Zodun asked that the general thoughts from the public at the Stakeholders meeting be restated for those who didn't attend.

**John Eatherly-** Mr. Eatherly works from home and lives on a road that already has fiber.

### **REVIEW OF MINUTES**

*Mr. Lalor motioned to approve the Regular Meeting Minutes from May.*

*Mr. Reiter seconded. Mr. Kolakowski abstained. Motion passed.*

### **STATUS REPORT**

1. Town Broadband Initiative Program (BIP)- Mr. Bridgham reported that many of the BIPs will end this year. Bloxom has been delayed due to the power company and fire department.
2. WiFi Hotspots- Mr. Bridgham gave an update that there are currently 11 hotspots in service and Northampton County has recently requested more WiFi hotspots. Mr. Kolakowski asked if there is a way to monitor the level of usage at the different

sites. Mr. Bridgham replied that he would start sharing information on utilization and a list of metrics with the BOD at the meetings. Mr. Lalor mentioned that a comment at the Accomack Town Hall Meeting was very positive about the WiFi Hotspots.

3. FY2017 Inventory Audit- The Inventory Audit was completed on 7/5 and the FY2017 Audit will be scheduled in August.
4. Service Level Metrics- 6/4 outage caused by an A/C unit failing. 6/12 outage to one customer because of an Asplundh truck catching on fire and burning cable. 7/5 ANEC lost a fuse feeding the Cheriton Hut but no customers were affected.
5. Harborton Fiber to the Home- 10 customers in service and 3 others are awaiting installation.
6. Bobtown/Pungoteague/Painter Fiber to the Home- 1 customer in service and 2 others are awaiting installation.
7. Church Neck Fiber to the Home- Construction in progress.
8. WISP EVPL Program- Mr. Bridgham informed the BOD that 25 sites are in service and bandwidth upgrades continue.
9. CBBT Fiber Cable Relocation- Mr. Bridgham stated that the ESVBA will have to relocate its fiber due to tunnel construction on the CBBT. They have selected a splicer and ESVBA has completed a walkthrough for the initial work.
10. Network Fiber Extension Req Form- The request form was posted on the website and advertised as a press release. Mr. Lalor suggested setting up an open Work Session to discuss the EVPL program and the Network Extension Request Form. *Mr. Mason motioned to table items until the Work Session Meeting. Mr. Reiter seconded. Motion passed unopposed.*

### **NEW BUSINESS.**

- a. **Broadband Stakeholders Meeting Report-** Mr. Bridgham spoke about the June 12<sup>th</sup> meeting at the Chamber of Commerce. Senator Lewis, the counties, and ISPs discussed where broadband is and where it's going. Mr. Kolakowski stated that most of the comments at the Town Hall Meeting were very positive and asked that ESVBA be more proactive in reaching out to businesses and finding out what their broadband needs are.
- b. **Whistle Blower and Fraud Policy-** Mr. Bridgham presented the policies to the board as a request from the auditors.

*Mr. Lalor moved to pass the Whistle Blower and Fraud Policy. Mr. Reiter seconded. Motion passed unopposed.*

## **OLD Business**

### **a. Public Comment Rate Reduction-**

**Ron van Geijn-** Mr. van Geijn spoke about the impact the ISPs have to deal with due to any ESVBA's outages. He requests that the board provides any funding necessary to the staff to continue to maintain the network at peak efficiency. Mr. van Geijn asked that the board consider lowering the transport prices more than the IP prices in order to benefit ISPs and wholesale customers more. He suggests the price cut is not deep enough. He also asked that ESVBA start to focus more on 36 month contract pricing instead of 60 months.

**Joe Betit-** Mr. Betit suggested that ESVBA offer an option for lower commercial rates where the customer is put into an over subscription category instead of paying for dedicated Internet.

**Glen Salmon-** Mr. Salmon suggested a mechanism that would help the ESVBA deploy service more quickly to the residents that do not have service, such as a 48 month contract. He also stated that many businesses would agree to be in an oversubscribed pool.

**Ron Matthews-** Mr. Matthews also believes that the transport rates should be lowered as well as the IP rates so that the ISPs can get access to more residential customers.

**Mike Zodun-** Mr. Zodun believes that the rates should only be lowered if the ESVBA can continue to remain financially stable and afford extra maintenance costs.

### **b. ESVBA Rate Reduction-** Mr. Mason asked where the money for the rate reduction would come from since it was not incorporated in the budget. Mr. Bridgham explained that the last rate reduction was less than a 10% decrease because many customers decided to increase bandwidth instead of decreasing their rate. The cost of expenses continues to be reduced and the capital costs in previous years have been under budget. Mr. Mason asked Mr. Bridgham to show what impact a price reduction would have on the budgets in the future.

*Mr. Reiter moved to adopt the new rates. Mr. Lalor seconded. Motion passed unopposed.*

*Mr. Mason motioned to have Mr. Bridgham prepare a budget that reflects the new rates. Mr. Kolakowski seconded. Motion passed unopposed.*

### **c. CTC Update-** Mr. Bridgham gave an update that CTC has met with the board members, 2 of the 3 ISPs, county administrators and supervisors.

CTC will take their information and come back with any questions and will then complete the study in or around October.

**d. Revised Network Expansion Request Form-**

**Treasurer's Report-** Mr. Mason explained that the significant dip in cash flow in May was due to scheduled equipment replacement. *Mr. Reiter moved to accept the treasurer's report. Mr. Lalor seconded. Motion passed unopposed.*

**Board Comment**

**Mike Mason** encouraged the Authority to have more Stakeholder meetings in the future so that the public can express their concerns.


**Pete Lalor** suggested that the draft minutes be posted on the website following the meetings. Mr. Lalor also asked that a copy of the letter written to Scott Taylor be publicly posted on the website.

**Elaine Meil** asked that some basic educational information be posted on the website. Mr. Bridgham stated that he would add that to the FAQ section on ESVBA's website.

**ADJOURNMENT**

*The meeting was adjourned at 4:41pm.*

These minutes were approved at the Sept. 21, 2017 meeting of the Board of Directors of ESVBA.

  
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Presiding Officer

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Leah Hoopes, Secretary  
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