

MINUTES

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

May 18, 2017

Board members in attendance were: John Andrzejewski, Pete Lalor, Elaine Meil, and John Reiter(via phone).

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

Members of the public attending were:
Ron van Geijn, Bob Nichols, Donald Imhoff, Spencer Murray, Bill Parr, John Read, Joe Betit, Richard Jenkins, Grandville Hogg, Brian Manley, Mike Zodun, and Pat Coady

Elaine Meil called the meeting to order at 2:51 pm.

AGENDA ADOPTION

Mr. Lalor moved to amend the agenda to remove item 3. Mr. Andrzejewski seconded. Motion passed unopposed.

PUBLIC COMMENT

Pat Coady- Mr. Coady stated that the original business plan for the Authority was to build out fiber and connect homes which automatically created competition between ESVBA and the other ISPs. He encourages the Authority to continue to make decisions that will keep it financially stable and eventually able to build out to all the necks and possibly Tangier. Mr. Coady stated that it's necessary for the Authority to remain healthy because without the Broadband Authority, the ISPs don't have a business at all on the shore.

John Read- Mr. Read asked about the responses the ESVBA received for the Network Extension Request form.

Ron van Geijn- Mr. van Geijn believes that the ESVBA is taking business away from service providers because of their fiber to the home project and the current EVPL regulations. He wants an opportunity to work with the Authority in providing service to residents.

Donald Imhoff- Mr. Imhoff believes the ESVBA should be more cooperative and less competitive and set boundaries with the service providers so that both organizations succeed.

Bill Parr- Mr. Parr stated that negotiations with Mid Atlantic Broadband could have been both beneficial to the Broadband Authority and to economic development opportunities in Northampton and Accomack counties.

Grandville Hogg- Mr. Hogg spoke about the issues he has had with Verizon and the recent changes they have made. He believes that their dissatisfied customers could be an opportunity for the Authority.

REVIEW OF MINUTES

Mr. Lalor motioned to approve the Regular Meeting Minutes from March and the Special Meeting Minutes from April.

Mr. Andrzejewski seconded. Mr. Reiter opposed. Motion passed.

STATUS REPORT

1. Bloxom Tower Construction- Mr. Bridgham provided an update stating that service has been installed to several customers and bandwidth has been increased to accommodate more customers.
2. Harborton Fiber to the Home- Mr. Bridgham stated that 10 customers are in service for Harborton. One customer is awaiting installation and there are 5 new potential customers. One customer is in service on Bobtown and one customer is awaiting installation on Church Neck.
3. Town Broadband Initiative Program (BIP)- Mr. Bridgham reported that many of the BIPs will end this year.
4. WiFi Hotspots- Mr. Bridgham gave an update that there are now 11 hotspots in service.
5. Service Level Metrics- No new updates.
6. WISP EVPL Program- Mr. Bridgham informed the BOD that 21 sites are in service and bandwidth upgrades continue.
7. CBBT Fiber Cable Relocation- Mr. Bridgham stated that the ESVBA will have to relocate its fiber due to tunnel construction on the CBBT. They are preparing bids for underground work.
8. Recent RFPs- Mr. Bridgham informed the BOD that the RFP for ES Public Library was awarded to ESC. Five of the seven RFPs for ESRHS have been awarded to ESVBA. The other two have

not been closed.

9. Network Fiber Extension Request Form- Mr. Bridgham reported that the form was posted on the website and advertised but the Authority received no responses.

NEW BUSINESS.

- a. **Adoption of Audit by Robinson, Farmer, Cox Associates-** *Mr. Reiter moved to accept the Audit.. Mr. Lalor seconded. Motion passed unopposed.*
- b. **ESVBA Rate Reduction-** Mr. Bridgham provided the BOD with a proposed rate reduction showing a 20% reduction in transport fees and up to a 35% reduction in internet fees. Mr Bridgham explained that existing customers are eligible to renew their contract and take advantage of the new rates and any new services that are purchased would be applicable to the new rates. The new rates have not been factored into the FY18 budget.

Mr. Andrzejewski stated that he was in favor of Mr. Bridgham reviewing the budget and making adjustments to account for the rate change.

Mr. Lalor moved to adopt the new rates. Mr. Reiter seconded.

Mr. Andrzejewski amended the motion to add that adopting the rates with the opportunity to assess in the future the impact upon the FY18 operating budget. Mr. Lalor seconded. Motion passed unopposed.

- c. **FY18 Budget-** Mr. Bridgham provided the BOD with the 2018 budget. Mr. Andrzejewski asked that the previous years for each line item be added to future budgets.

Mr. Andrzejewski moved to accept the FY18 budget with the exception of the distribution of Capital Expenditures, which would be subject to revision based on the business plan adoption. Mr. Lalor seconded.

Mr. Reiter stated that in his discussion with the consultant, she stated that installing fiber like this is only a positive investment in the long run.

After some discussion, AYE:2 NAY:2. Motion did not pass.

Mr. Reiter motioned to accept the FY18 budget as presented. Mr. Lalor seconded. AYE:3 NAY:1. Motion passed.

OLD Business

- a. **CTC Update-** Mr. Bridgham informed the BOD that a meeting with Ms. Hovis is set up for June and the target completion date for the results is the end of the summer.
- b. **Vaucluse Estimate-** Mr. Bridgham reported that just the infrastructure for the fiber build out to Vaucluse would be approximately \$470k.

Treasurer's Report-

CLOSED SESSION

Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended;) 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. Lalor, seconded by Mr. Andrzejewski. The following board members were present Mr. Lalor, Ms. Meil, Mr. Reiter, and Mr. Andrzejewski and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Mr. Andrzejewski, seconded by Mr. Lalor that the Board had entered the closed session for that purpose as set out in 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. Andrzejewski, Mr. Reiter, Ms. Meil, and Mr. Lalor and voted affirmative.

MOTION

Mr. Reiter moved to direct the Executive Director to consult with counsel in regards to the breach of a Non-Disclosure Agreement which has occurred with an organization that we are currently negotiating with. Mr. Lalor seconded. Motion passed unopposed.

MOTION

Mr. Andrzejewski motioned to move forward with the BB&T Resolution and change the signatures to include the new acting Executive Director. Mr. Lalor seconded. Motion passed unopposed.

Board Comment

ADJOURNMENT

The meeting was adjourned at 4:41pm.

These minutes were approved at the July 20, 2017 meeting of the Board of Directors of ESVBA.

Elana K. Mei
Presiding Officer

Copy teste:

Leah Hoopes
Leah Hoopes, Secretary