

## MINUTES

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

November 9, 2017

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

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

Members of the public attending were:  
Pat Coady, Joseph Betit, and Alex Vargas

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

#### **AGENDA ADOPTION**

*Mr. Mason moved to approve the Agenda. Mr. Reiter seconded. After discussion, Mr. Kolakowski motioned to amend the agenda to only discuss item A. The amendment was not accepted and the motion remains. AYE:4 NAY:1. Motion passes.*

#### **PUBLIC COMMENT**

Alex Vargas- Mr. Vargas spoke about his positive experiences working with Robert. He suggested that the Authority disregard the plan from CTC due to incompetent data and proceed with FTTH. He also suggested the Authority service customers that are already along the fiber first before building out to those who don't. Mr. Vargas recommended a policy for communities where the residents can pay for the construction costs. Lastly, he asked that the board meetings be held at 6pm so that more public could attend.

#### **New Business**

- A. Addressing the draft strategic plan: Mr. Bridgham explained that CTC deviated the scope of work and used inaccurate numbers in the strategic plan. Mr. Mason stated that he believes they should

rework the plan based on the original scope of work with realistic data. Mr. Kolakowski believes CTC should provide an explanation on why they deviated numbers and didn't use models based on the information that the Authority provided them. Ms. Meil spoke about how they failed to have weekly conference calls and never spoke with the board as a whole.

*Mr. Kolakowski amended the agenda to add a closed session. 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 made by Mr. Kolakowski, seconded by Mr. Reiter. 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. Mason, seconded by Mr. Reiter that the Board had entered the closed session for that purpose as set out in Paragraph 7 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 7. The following board members were present Ms. Kolakowski, Mr. Reiter, Ms. Meil, Mr. Mason, and Mr. Lalor and voted affirmative.

- A. (continued)-Ms. Meil announced that the Authority will move forward to seek immediate remedy for the business plan and have CTC attend the next board meeting with the new assigned project manager. Ms. Meil relinquished the chair to Mr. Reiter. Ms. Meil updated the distribution lines for the scope of work and presented the next two areas on the prioritization schedule for Cheapside and Sanford.

Mr. Mason questioned how these areas were ranked on the schedule. Mr. Bridgham explained that the 4 metrics were distance from the ESVBA office, areas that didn't contain WISP sites, aerial

builds vs underground, and areas with additional access points.  
Mr. Reiter relinquished the chair back to Ms. Meil.

B. Reviewing the ESVBA draft network expansion policies:  
Mr. Bridgham presented a revised form for the board to review.

- i. Network Expansion Req Form-Mr. Lalor suggested a 6 month time frame for actions to be taken by the service providers on the areas requested.
- ii. Micro Communities Policy-Mr. Kolakowski spoke about the need for broadband in low income areas for residents who can't afford the installation costs. Ms. Meil suggested the counties pursue grants or funding sources for low income areas.
- iii. Alternative Expansion Policy

C. Capital Program release to expand FTTH areas

- i. Possible sunseting of the 10/5 residential rate-Mr. Bridgham explained that FCC defines broadband as a minimum of 25Mbps and 10/5Mbps are more likely to impact the ISPs. Mr. Lalor asked what the prospects were of building out to all 24 areas instead of the 7 budgeted. Mr. Bridgham explained that the build out could be accelerated from a financial prospective and agreed to come back with an expedited schedule for building out all 24 areas.

### **ADJOURNMENT**

*Mr. Reiter motioned to adjourn at 4:34pm. Mr. Lalor seconded. Motion passed unopposed.*

These minutes were approved at the Nov. 16, 2017 meeting of the Board of Directors of ESVBA.

Hainakn Meil  
Presiding Officer

Copy teste:

A handwritten signature in cursive script that reads "Leah Hoopes". The signature is written in black ink and is positioned above a horizontal line.

Leah Hoopes, Secretary