

## MINUTES

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

December 15, 2017

Board members in attendance were: 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:  
Mark Cline and Dean Lewis

Elaine Meil called the meeting to order at 10:00 am.

#### **AGENDA ADOPTION**

*Mr. Reiter moved to approve the Agenda. Mr. Mason 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. Reiter, seconded by Mr. Kolakowski. The following board members were present 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. Kolakowski, 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 Mr. Kolakowski, Mr. Reiter, Ms. Meil, and Mr. Mason and voted affirmative.

### **PUBLIC COMMENT**

Mark Cline-Mr. Cline lives 1 mile from ESVBA Headquarters and is unable to get service from any of the ISPs. He has lost online job opportunities due to no broadband service.

Dean Lewis- Mr. Lewis lives in Bloxom and has fiber right in front of his driveway. He's unable to get broadband which his wife needs for work.

### **Old Business**

A. CTC report regarding strategic plan remedy: Joanne Hovis spoke about the changes that could be made to the draft such as adding matrix, adding comments from meetings and coming up with creative and innovative ideas. CTC typically uses numbers from experiences with other companies and various scenarios as standard business planning for financial models. They used engineering and technical experiences from around the world. Andrew commented that the unit pricing used in the draft was based on the Harborton project and additional dollars were added for engineering and quality assurance. Density is the number one factor that drives the costs up.

Mr. Mason asked if they can expect to see more options and models. Ms. Hovis said that they are already internally starting to address this issue but should have legal vetting first. She also stated that she was under the impression that the ESVBA didn't want to go the route of initiating another PPEA.

Mr. Reiter mentioned that ESVBA did not want to exclude a PPEA but would like to look at what they might do differently if they decided to go down that route again.

Ms. Hovis explained that CTC would be happy to come up with some ideas for the private and public sector to work together to get broadband to residents and businesses.

Ms. Meil asked Ms. Hovis if they could get everyone to agree on the measurements and statement of work before moving forward.

Mr. Bridgham stated that the BOD created a committee to work with CTC on the strategic plan.

Mr. Mason suggested monthly meetings so that everyone can stay involved in the document with CTC.

*Mr. Mason motioned to hold monthly meetings for the year of 2018.*

*Mr. Reiter seconded. Motion passed unopposed.*

- B. Consider reprioritization of FTTH areas- Mr. Bridgham asked that the BOD approve ESVBA moving forward with flexibility.

*Mr. Reiter motioned to proceed.*

Mr. Kolakowski suggested revisiting the list and reprioritizing it as needed each month.

Mr. Mason stated that by approving the list they're not going to open up areas if the financial projections don't yield the results that they are expecting.

*Mr. Reiter amended the motion to proceed with the list subject to the overall budget restraint. Mr. Mason 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 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. Kolakowski. The following board members were present: Mr. Reiter, Ms. Meil, Mr. Kolakowski, and Mr. Mason 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 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 Mr. Reiter, Ms. Meil, Mr. Kolakowski, and Mr. Mason and voted affirmative.

*Mr. Mason motioned to adjourn at 12:18pm. Mr. Reiter seconded.  
Motion passed unopposed.*

These minutes were approved at the Jan 18, 2018 meeting of  
the Board of Directors of ESVBA.

Frank M. M. M.

Presiding Officer

Copy teste:

A handwritten signature in cursive script, appearing to read "L Hoopes", written over a horizontal line.

Leah Hoopes, Secretary