

## MINUTES

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

September 23, 2021

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

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

Members of the public attending were: Larry Breech, Sue Mastyl

Mr. Reiter called the meeting to order at 2:00 pm.

#### **AGENDA ADOPTION**

*Ms. Meil moved to adopt the agenda. Mr. Mason seconded. Motion passed unopposed.*

#### **PUBLIC COMMENT**

Larry Breech asked for some clarification on the Micro Community process and also for an update on when he will receive service.

Sue Mastyl expressed her concerns about the lack of communication with a recent outage and issues with the portal.

#### **REVIEW OF MINUTES**

*Ms. Meil moved to approve the Regular Board Meeting Minutes from July. Mr. Mason seconded. Mr. Kolakowski abstained. Motion passed unopposed.*

#### **SYSTEM STATUS & BUILD REPORT**

1. WiFi Hotspots- There are currently 26 hotspots in service. The Cheapside and Onancock Gazebo hotspots are currently down but being repaired.
2. Residential Broadband- Mr. Bridgham reported that the Authority has 1752 active residential customers. He stated that

there are 52 customers in service in Harborton, 21 in Bobtown, 71 in Church Neck, 66 in Sanford, 32 on Cheapside, 4 on Cobbs Station, 83 in Accomac, 6 in Townsend, 99 in Greenbackville, 60 in Atlantic, 57 in Wattsville/Horntown, 60 in Oak Hall, 75 in Hallwood, 49 in Painter/Quinby, 54 in Eastville, 43 in Nassawadox, 8 in Oyster, 178 in Exmore, 51 in Belle Haven, 47 in Cheriton, 34 in Wachapreague, 258 in Onancock, 204 in Cape Charles, 98 in Parksley, 5 in Nocks Landing, 33 in Saxis, and 4 on Chincoteague.

Mr. Kolakowski asked why some of the areas having low take rates.

Mr. Bridgham replied that the Authority has been doing more advertising in hopes of increasing the take rate but some areas have other internet options available.

Mr. Mason asked for an update on Tangier service.

Mr. Bridgham explained that there have been a few issues with one of the radio links so some customers do have service but are not being billed until testing is complete.

3. WISP EVPL Program- Mr. Bridgham informed the BOD that 58 sites are in service, 2 new sites on-order and underway.
4. Microcommunity Program- There are 15 communities that are in service and 9 others that are in various stages of progress.
5. EBB Program- The program had 45 subscribers in the month of September.
6. 2021 CARES projects in Accomack and Northampton- Mr. Bridgham reported that materials have been ordered and engineering has been completed for 37 of the 56 miles and the engineering for Captains Cove has been completed. Several areas are already constructed and others are in the process of being constructed.

Mr. Reiter asked about the plan for the areas that are “rejected currently served”.

Mr. Bridgham explained that they notify the counties of the areas that are currently served and the counties provide feedback.

Mr. Mason asked when the Authority will start to bill the counties for the projects.

Mr. Bridgham replied that the counties will be billed when the segments are complete which should be within the next month or two.

Mr. Bridgham reported that the Seaside Extension is underway and

should be complete within the next few weeks. Belle Haven and Cheriton are waiting on the Underground construction to be completed.

### **OLD BUSINESS.**

#### **a. VATI Application -**

Mr. Bridgham reported that the application was completed on time and the Authority is asking for about \$12M from the State and \$3M in matched funds from the Counties and ESVBA. The funds would cover about 260 miles of expansion. The announcement should be in December.

### **NEW BUSINESS.**

#### **a. Consider Shore Wide Expansion Plans-** Mr. Bridgham explained that if the Authority receives funds from the grant, the project could take up to 24 months to build. The remaining 300 miles that would be unserved would take another 24 months to build.

Mr. Kolakowski asked when the current projects will be complete.

Mr. Bridgham replied that the Cares Act projects should be complete by the end of 2021.

Mr. Kolakowski asked what is the plan if the Authority does not receive funds from the grants.

Mr. Bridgham replied that ARPA funds are a possibility or the Authority could look into getting a second bond.

#### **b. Public Comment Rules-** Mr. Bridgham presented the Public Comment Policy.

Mr. Mason questioned if item F is necessary.

*Mr. Mason motioned to adopt the Public Comment Rules with the removal of item F. Mr. Kolakowski seconded. After discussion, Mr. Mason motioned to adopt the Public Comment rules with the removal of item D and F. Motion passed unopposed.*

### **TREASURER'S REPORT**

Mr. Mason presented the Treasurer's Report.

Ms. Meil asked if the Audit has been completed.

Mr. Bridgham explained that the Inventory Audit was completed

but the main audit has not been scheduled yet.

### **BOARD COMMENTS**

None

### **CLOSED SESSION**

Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended;) Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively. Paragraph 33: 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 information and trade secrets subject to the exclusion in subdivision 19 of § [2.2-3705.6.](#), made by Ms. Meil, seconded by Mr. Mason. The following board members were present: Mr. Mason, Mr. Reiter, Mr. Kolakowski, and Ms. Meil and voted affirmative.


After closed session, the Chair reconvened the meeting. Motion was made by Ms. Meil, seconded by Mr. Mason that the Board had entered the closed session for that purpose as set out in Paragraph 1 and 33 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 1 and 33. The following board members were present: Mr. Mason, Mr. Reiter, Mr. Kolakowski, and Ms. Meil and voted affirmative.

Ms. Meil motioned to approve the Executive Director's bonus as stated in Closed Session. Mr. Mason seconded. Motion passed unopposed.

**ADJOURNMENT**

The meeting was adjourned at 3:26pm.

These minutes were approved at the December 2, 2022 meeting of the Board of Directors of ESVBA.



Presiding Officer

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Leah Hoopes, Secretary