

ORANGE COUNTY BROADBAND AUTHORITY MINUTES

MAY 5, 2020

At a Regular Meeting of the Orange County Broadband Authority held on Tuesday, May 5, 2020, beginning at 4:00 p.m., and held electronically via Zoom video conference. Present: James K. White, Chair; R. Mark Johnson, Vice Chair; James P. Crozier; S. Teel Goodwin; and Lee H. Frame. Also present: Theodore L. Voorhees, County Administrator; Thomas E. Lacheney, County Attorney; S. Lewis Foster, Broadband Program Manager; and Alyson A. Simpson, Chief Deputy Clerk.

RE: ORGANIZATIONAL MEETING

RE: APPOINTMENT OF OFFICERS FOR 2020

The floor was opened for nominations for Chair. Mr. White was nominated to serve as Chair. There being no further nominations, the floor was closed.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0-1, with Mr. White abstaining, the Authority appointed Mr. White to serve as Chair for the remainder of the term as established in the Bylaws, through such time of the Organizational Meeting in 2021.

Ayes: Johnson, Goodwin, Crozier, Frame. Nays: None. Abstain: White.

The floor was opened for nominations for Vice Chair. Mr. Johnson was nominated to serve as Vice Chair. There being no further nominations, the floor was closed.

On the motion of Mr. Crozier, seconded by Mr. Goodwin, which carried by a vote of 4-0-1, with Mr. Johnson abstaining, the Authority appointed Mr. Johnson to serve as Vice Chair for the remainder of the term as established in the Bylaws, through such time of the Organizational Meeting in 2020.

Ayes: White, Goodwin, Crozier, Frame. Nays: None. Abstain: Johnson.

The floor was opened for nominations for Secretary and Treasurer. Theodore L. Voorhees, County Administrator, was nominated to serve as Secretary and Treasurer. There being no further nominations, the floor was closed.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority appointed Theodore L. Voorhees to serve as Secretary and Treasurer for the remainder of the term as established in the Bylaws, through such time of the Organizational Meeting in 2020.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: PARTICIPATION VIA ELECTRONIC MEANS

Pursuant to the emergency ordinance adopted on March 24, 2020, this meeting was held electronically via Zoom video conference and livestreamed to YouTube for the public to view. As such, the minutes are required to reflect the physical location of each Authority member during their participation.

Chairman White participated from his residence, located at 22373 Berry Run Road, Orange, Virginia.

Vice Chairman Johnson participated from his residence, located at 13451 Albano Road, Barboursville, Virginia.

Mr. Frame participated from his residence, located at 103 Woodland Trail, Locust Grove, Virginia.

Mr. Crozier participated from the Orange County Airport, located at 11275 Aviation Way, Orange, Virginia.

Mr. Goodwin participated from his residence, located at 11464 Rapidan Road, Orange, Virginia.

RE: ADOPTION OF AGENDA

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Authority adopted the agenda, as presented. Ayes: Johnson, White, Crozier, Frame, Goodwin. Nays: None.

RE: CONSENT AGENDA

RE: APPROVAL OF THE MINUTES FROM THE DECEMBER 17, 2019 REGULAR MEETING

On the motion of Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority approved the December 17, 2019 Regular Meeting minutes, as presented.

RE: APPROVAL OF THE MINUTES FROM THE JANUARY 28, 2020 REGULAR MEETING

On the motion of Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority approved the January 28, 2020 Regular Meeting minutes, as presented.

RE: NEW BUSINESS

RE: RESOLUTION TO ADOPT AND APPROPRIATE THE FY21 BUDGET

Glenda Bradley, Assistant County Administrator for Management Services, explained that the proposed Fiscal Year 2021 Budget for the Broadband Authority had been prepared for the Authority's consideration. She indicated that the budgeted amounts would be transferred from the Orange County General Fund, as the Broadband Authority does not currently have a source of revenue. Ms. Bradley noted the proposed resolution provided a brief summary of the appropriations and included the same provisions as the County budget.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority adopted the following resolution, as presented:

A RESOLUTION TO ADOPT AND APPROPRIATE THE ORANGE COUNTY BROADBAND
AUTHORITY'S BUDGET FOR FISCAL YEAR 2021

WHEREAS, the Fiscal Year 2021 budget was duly prepared, presented, and previously adopted by the Orange County Board of Supervisors on April 28, 2020; and

WHEREAS, certain amounts were budgeted for transfer to the Orange County Broadband Authority to be available for projects and expenditures at July 1, 2020;

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of May, 2020, that the Orange County Broadband Authority hereby approves and adopts the attached Fiscal Year 2021 Budget, as presented, and appropriates all funds as set forth in the attachment with the limitations and instructions included herein; and

BE IT FURTHER RESOLVED, as follows:

1. Estimates of expenditures and revenues are hereby approved in total and appropriations are hereby authorized in total.

2. The Broadband Program Manager may increase appropriations for non-budgeted revenue for insurance recoveries for property for which Broadband Authority funds have been expended to make repairs and for worker's compensation reimbursements, up to \$30,000 per incident or claim.
3. The Broadband Program Manager is charged with the responsibility for the quarterly reporting of revenues and expenditures compared to the adopted budget, as amended, to the Broadband Authority.

FISCAL YEAR 2021 BUDGET

Revenues:

Transfers from Other Funds	\$	588,793
Total Revenues	\$	<u>588,793</u>

Expenditures:

Salaries and Wages	\$	180,000
Employee Benefits		46,898
Purchased Services		122,350
Other Operating		178,195
Materials and Supplies		11,350
Capital Outlay		<u>50,000</u>
Total Expenditures	\$	<u>588,793</u>

Ayes: Johnson, White, Crozier, Frame, Goodwin. Nays: None.

RE: APPROVAL OF THE CONTRACT WITH BYERS ENGINEERING

Amanda Amos, Procurement Coordinator, explained that staff had released a solicitation for proposals for fiber optic engineering and construction management services, which was advertised through the County website, in The Orange Review, and on Virginia's e-procurement website. She indicated that six (6) response were received.

Ms. Amos stated that staff conducted interviews with the top 2 ranked vendors and recommended a contract be awarded to Byers Engineering Company.

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority authorized staff to execute a contract with Byers Engineering Company for professional fiber optic engineering and construction management services for a period of one year, with the option of four (4) possible renewals, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: PROPOSED USE OF GSA CONTRACT TO PURCHASE EQUIPMENT

Stephanie Straub, Director of Management Services, presented a request to execute contracts with Walker and Associates, Inc. for the purchase of equipment. She explained that the contracts would be utilized through Federal General Services Administration (GSA) contracts. Further, she explained that additional Adtran equipment, not available through the GSA contract, was requested at this time, to ensure quality control and prevention of shipment delays.

Discussion ensued among the Authority regarding: a brief overview of the equipment to be purchased; the proposal coming in under budget; and comparison to other vendors.

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Authority authorized staff to execute two (2) contracts with Walker and Associates, from Federal General Services Administration (GSA) contracts (GS-35F-0419W and GS-35F-303DA), and an additional off-contract purchase, for a total of \$670,695.22, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

RE: CONSENSUS TO PROCEED WITH DEVELOPING CAPABILITIES TO PROVIDE BROADBAND SERVICE TO CUSTOMERS

Chairman White provided a brief overview of the efforts to date in regard to the various phases and physical components related to building the broadband network, which included: determining capability; reaching the underserved areas; reinvesting broadband revenues for further expansion; a fixed wireless component; building the core fiber infrastructure; development of interconnected sites; providing service to customers; entering last phases; and next steps.

Mr. Johnson agreed that this project required phases, with there being multiple layers required for the infrastructure, to then be able to make it available to serve all Orange County citizens.

On the motion of Mr. Johnson, seconded by Mr. Frame, which carried by a vote of 5-0, the Authority authorized Broadband Authority staff to build the capabilities necessary to provide high speed internet service to our residents and businesses, which would include providing a high-level of customer service experience; adequately monitor and troubleshoot the network operations; install and maintain customer premise equipment; and to provide redundant access to the internet through a presence at Equinix, as presented.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

Discussion ensued among the Authority regarding: providing a necessary utility; and the need to inform the community of related costs for service.

RE: OLD BUSINESS
There were no matters for Old Business at this time.

RE: OTHER BUSINESS

RE: DISCUSSION OF THE SCHEDULE OF MILESTONES FOR THE NEXT YEAR
Lewis Foster, Broadband Program Manager provided a presentation on the schedule of milestones, which included the following information: survey results, status of connectivity phases; and critical milestones.

Discussion ensued among the Authority regarding: customer service solutions; ahead of goals.

The Authority thanked Mr. Lewis for his presentation.

RE: BROADBAND PROGRAM MANAGER REPORT
S. Lewis Foster, Broadband Program Manager, provided a report to the Authority, which included information on the following topics:

- The status of the fiber optics project;
- Accomplishments to-date;
- Upcoming meetings; and
- A summary of current projects.

RE: INFORMATIONAL ITEMS

There were no Informational Items at this time.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Goodwin, which carried by a vote of 5-0, the Authority adjourned the meeting at 4:52 p.m.

James K. White, Chairman

Brenda G. Garton, Interim County Administrator