

At a Regular Meeting of the Orange County Broadband Authority held on Tuesday, September 12, 2017, beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: James K. White, Chair; R. Mark Johnson, Vice Chair; S. Teel Goodwin\*; James P. Crozier, and Lee H. Frame. Also present: R. Bryan David, County Administrator; Thomas E. Lacheney, County Attorney; and Alyson A. Simpson, Chief Deputy Clerk.

\* Mr. Goodwin arrived at 4:03 p.m.

RE: NEW BUSINESS

RE: APPROVAL OF MINUTES

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 4-0, with Mr. Goodwin being absent, the Authority approved the March 28, 2017 Organizational Meeting minutes, as presented.

RE: RENEWAL OF THE CONTRACT WITH FEDERAL ENGINEERING

Stephanie Straub, Financial Management Specialist, explained that the contract with Federal Engineering for Radio Engineering & Consulting Services had previously been transferred to the Broadband Authority for management from the Board of Supervisors. She indicated that staff was requesting the first of four (4) possible renewals, which would extend the contract for an additional year, through June 30, 2018.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 4-0, with Mr. Goodwin being absent, the Authority authorized staff to renew Contract FE-00-17NT with Federal Engineering for a period of one (1) year, to expire on June 30, 2018, representing the first of four (4) possible renewals.

RE: RENEWAL OF THE CONTRACT WITH COMPUTER CABLING AND TELEPHONE SERVICES, INC.

Stephanie Straub, Financial Management Specialist, explained that the contract with Computer Cabling and Telephone Services, Inc. for Fiber Optics Products and Installation Services had previously been transferred to the Broadband Authority for management from the Board of Supervisors. She indicated that staff was requesting renewal of the contract for an additional term, which would extend the contract through August 31, 2018.

Discussion ensued regarding: the availability of additional contract renewals.

On the motion of Mr. Crozier, seconded by Mr. Frame, which carried by a vote of 4-0, with Mr. Goodwin being absent, the Authority authorized staff to renew Contract CCT-00-16DH with Computer Cabling and Telephone Services, Inc. for one (1) year, to expire on August 31, 2018.

RE: RESOLUTION TO ADOPT AND APPROPRIATE THE FY2017-2018 OPERATING BUDGET

R. Bryan David, County Administrator, explained that the Broadband Authority had previously adopted its FY2016-2017 Budget on July 26, 2016. He added that since a new fiscal year had begun, it would be appropriate for the Authority to adopt its budget for FY2017-2018.

He provided the Authority with a resolution to adopt said budget, explaining that the FY17 budget was used as the baseline, with all FY17 expenditures being removed from the totals. Therefore, the proposed resolution simply reflected a carry forward of those remaining balances.

Discussion ensued regarding: the fact that no additional funds were being appropriated, as the budget was comprised of carry forward funds from the previous fiscal year.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 4-0, with Mr. Goodwin being absent, the Broadband Authority adopted the following resolution, as presented:

**A RESOLUTION TO ADOPT AND APPROPRIATE THE ORANGE COUNTY BROADBAND AUTHORITY BUDGET FOR FISCAL YEAR 2018**

WHEREAS, the Fiscal Year 2017 budget was duly prepared, presented, and adopted by the Orange County Broadband Authority on July 26, 2016; and

WHEREAS, the following amounts remained unspent and available at June 30, 2017, for ongoing projects;

NOW, THEREFORE, BE IT RESOLVED, on this 12<sup>th</sup> day of September, 2017, that the Orange County Broadband Authority hereby approves the carry forward and re-appropriation of the following funds into Fiscal Year 2018:

Revenues:

Network Op. Revenue		<b>FY18 Proposed</b>
30052017-39900	Appropriated Fund Balance	\$154,922
		\$154,922

Expenditures:

Network Operations		<b>FY18 Proposed</b>
48180001-43100	Professional Services	\$84,703
48180001-43600	Advertising	\$770
48180001-45900	Contingency	\$69,000
48180001-46000	Office Supplies	\$449
		\$154,922

BE IT FURTHER RESOLVED, that estimates of expenditures and revenues are approved in total and appropriations are hereby authorized in total.

\* Mr. Goodwin arrived at 4:03 p.m.

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

RE: INFORMATIONAL ITEMS

RE: UPDATE ON PUBLIC SAFETY TELECOMMUNICATIONS PROJECT AND RURAL BROADBAND INITIATIVE

R. Bryan David, County Administrator, provided an update to the Authority on the status of the Orange County Public Schools' E-rate Fiber Optics grant, the draft Public Safety Radio Request for Proposal (RFP), and the ongoing efforts related to the Rural Broadband Initiative.

Discussion ensued regarding: the location of towers; competing interests for broadband and public safety; preparation of the RFP document for release; the idea to locate towers on County-owned property; developing a phased approach to the projects; making public safety a priority; the provision of additional coverage; and overall acceptance from the public.

The Authority took the information regarding the Public Safety Telecommunications Project and Rural Broadband Initiative under advisement, and there was no action taken at this time.

RE: REVIEW OF TELECOMMUNICATIONS TOWERS AND FACILITIES ORDINANCE

R. Bryan David, County Administrator, explained that the Board of Supervisors had recently referred the Telecommunications Towers and Facilities Ordinance to the Planning Commission for review and update. He indicated that the purpose of this review was to have the Ordinance better address telecommunications towers and facilities related to newer technologies. Mr. David added that he attended the most recent Planning Commission meeting to represent the Board of Supervisors' referral of the foregoing matter.

Discussion ensued regarding: discussion among the Planning Commission; the types of towers that should be addressed; the idea that the towers should be self-supporting; next steps in the ordinance process; and when the Planning Commission would consider the ordinance.

The Authority took the information regarding the Telecommunications Towers and Facilities Ordinance under advisement, and there was no action taken at this time.

RE: FIBER OPTICS PROJECT UPDATE

R. Bryan David, County Administrator, provided an update specific to the Fiber Optics Project and the Schools' E-rate Grant. He explained that a "clerk of the works"-type position had been selected to oversee the installation of the fiber, and that the contractor was in the process of obtaining necessary permits from VDOT and ordering materials. A funding breakdown was reviewed for each of the locations where fiber would be installed. Lastly, Mr. David reviewed the proposed build timeline and order of installation.

The Authority took the information regarding the Fiber Optics Project under advisement, and there was no action taken at this time.

RE: CLOSED MEETING

At 4:32 p.m., Mr. Lacheny read the following motion authorizing Closed Meeting:

WHEREAS, the Broadband Authority of Orange County desired to discuss in Closed Meeting the following matters:

- Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected. - §2.2-3711(A)(6) of the Code of Virginia
- Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711(A)(8) of the Code of Virginia

WHEREAS, pursuant to §§2.2-3711 (A)(6) and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Broadband Authority of Orange County hereby authorized discussion of the aforesaid matters in Closed Meeting.

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Authority adopted the resolution authorizing Closed Meeting, as presented.

RE: CERTIFICATION OF CLOSED MEETING

At 5:03 p.m., Ms. Simpson read the following resolution certifying Closed Meeting:

WHEREAS, the Broadband Authority of Orange County has this day adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Broadband Authority of Orange County hereby certified that to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

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

RE: NEW BUSINESS (Continued)

RE: AUTHORIZATION TO EXECUTE NON-DISCLOSURE AGREEMENTS

On the motion of Mr. Johnson, seconded by Mr. Crozier, which carried by a vote of 5-0, the Authority authorized the County Administrator to execute certain Non-Disclosure Agreements with technology companies, as previously identified.

RE: SCHEDULE NEXT MEETING

At this time, the Authority took no action to schedule its next meeting, which would instead be scheduled when needed.

RE: ADJOURN

On the motion of Mr. Frame, seconded by Mr. Crozier, which carried by a vote of 5-0, the Authority adjourned the meeting at 5:03 p.m.

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James K. White, Chairman

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R. Bryan David, County Administrator