

Lancaster County Broadband Authority



Minutes of Meeting

August 17, 2018 9:30 a.m.

County Administration Building

1. Call to Order & Approval of Minutes: The regular meeting of the Lancaster County Broadband Authority convened at 9:30 a.m. in the CAB public meeting room. Cassie Thompson, Gary Silverman, Kevin Bean, Margie Armen and David Pere were present along with committee member, Sharon Thompson Gill. There were no prior minutes presented for approval.

2. New Business:

Cassie welcomed Jerry Davis, of the Northern Neck Planning District Commission to share information regarding the current and prior efforts of the Northern Neck Broadband Authority (NNBA) to improve internet coverage in the 4 counties that comprise the Northern Neck. The Authority was founded in 2009 and meets intermittently in Warsaw. The Authority consists of 5 members, the 4 County Administrators and a representative from the Chesapeake Bay Regional Planning Council. The Counties commissioned two studies from Icon Technologies in 2008 and 2009 and when the studies revealed a need for action, they formed the regional authority. The Authority applied twice for grants from the American Recovery and Reinvestment Act (commonly referred to as the “Stimulus Package,”) but neither application was accepted. Since then, the authority has concentrated on working with Metrocast (now Atlantic Broadband) to expand and improve service. The Authority’s historical activities were summarized in a handout, a .PDF of which is attached to these minutes.

Mr. Davis was not able to provide any information about the grants that were turned down. He will look to see if he can find any records on that. He did indicate that at one time the Northern Neck was considered a priority area for broadband grant funding from the Rural Utilities Service, but due to a lack of acceptable private sector providers to partner with, nothing came of the status. He also told us that CATV operators generally don’t want to accept Federal funding for projects, because those funds come with a requirement that the providers allow open access to their lines. Funding from the Virginia Technology Initiative (VATI) does not have those strings attached, so Atlantic Broadband may be considering some projects in Richmond County using VATI funds. None of those projects has been submitted to VATI at this time.

More recently, Mr. Davis reported that the Authority is supporting a study to evaluate last mile projects, particularly bringing the Northern Neck Electric Cooperative into the

equation. As advocated by Jonathan Chambers, a former FCC Commissioner and currently Director of Conexon, rural electric cooperatives like NNEC can use their poles and other infrastructure to wire for broadband connectivity for their customers. The study is not officially concluded but NNEC may be reluctant to take on that challenge.

Mr. Davis expressed the opinion that GO Virginia may support broadband expansion in a big way, but he also said that the NNBA would not make any grant requests to GO VA until the state-wide strategy is developed.

We thanked Mr. Davis, who indicated that he would like to continue to be helpful to our efforts.

3. Old Business:

a. Eagle Landing. At our meeting two weeks ago, the Eagle Landing group shared their proposal to partner with Atlantic Broadband, and our Authority to request a VATI grant running 7 miles of cable to serve the 54 homes in their community. We agreed to consider this matter at our next meeting.

b. Tax status of the Authority. Margie reported that she has researched the question of our tax-exempt status and qualification to receive gifts which are tax deductible to the donor. Under section 170(c) of the Internal Revenue Code, as long as the gift is for a public purpose, a donor is entitled to take a federal income tax deduction for gifts to “a state, the District of Columbia or any political subdivision thereof.” “Political subdivision” includes any instrumentality or agency of the political subdivision. We would appear to be covered by this provision. As soon as we have our official approval from the State Corporation Commission, we can request a Letter Ruling from the IRS confirming our status. This is not 501(c), which applies to private entities and does not concern us.

c. Preparing the Board for negotiations with Atlantic Broadband. At the Board’s request, we are continuing the work of the informal broadband advisory group, preparing information for their use in discussions with Atlantic Broadband regarding the expired franchise ordinance (Appendix A). We will develop a set of mutually agreeable talking points which we can use to brief each member of the Board of Supervisors individually. Sharon Thompson Gill is leading this effort.

4. Actions and Tasks:

Technology

Kevin will follow up again with Bill Newborg to obtain their service map and will push them to get it to us at a minimum of two weeks prior to ABB’s meeting with the Board of Supervisors.

Policy/Legal

Margie will call Don Gill to check on a) whether the Articles of Incorporation have been filed, b) whether our meeting times are being posted in the Rappahannock Record, c) whether we can consult with Jim Cornwell about various matters and what are the procedures for doing that, d) whether we can be added to the agenda for the BOS meeting on the 23rd for a brief report, or alternatively submit a written report, e) whether a time and place has been set for the meeting with Atlantic Broadband on the 11th, f) whether he has used his access to the CAMS accounting system and whether we will be able to piggyback on that.

Margie will also draft a brief written report for the Board covering these items: Eagle Landing; the AB Meeting; and the Survey. She will continue to follow up on submitting our comments on the RUS Notice and the drafting of By Laws.

Organization

David will inquire of CIT the extent to which we can customize the survey to insure we are able to get information on what services the respondents already have and who their providers are.

Finance

All members need to be documenting their probable expenses, so we can put together a budget request and a grant request to the Economic Development Authority.

4. Schedule Next Meeting(s) and Adjourn. The Finance Committee will hold a working meeting starting at 8 a.m. on August 24 to discuss VATI and other funding matters. The Organization Committee will hold a conference call with CIT on August 24 at 1 p.m. probably on Google Hangout. The next meeting will be held at 9:30 a.m. on Friday August 24 in the public meeting room of the County Administration Building. The meeting adjourned at 1:45 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Margie Armen". The signature is written in a cursive, flowing style.

Margie Armen,
Secretary

The Northern Neck Broadband Authority

Summary of Activities

2008 – Phase I – Community Broadband Planning Study

The Virginia Department of Housing and Community Development provided community broadband planning assistance through The Virginia Rural Broadband Planning Initiative to produce planning studies, which were meant to “document the availability of communication technologies throughout the study area and to assess the amount of demand by residential and business end-users.”

2009 – Phase II – Community Broadband Planning Study

This phase of the study provided guidance to “meet the established project milestones and expectations while fulfilling the requirements of the Virginia Rural Broadband Planning Initiative.”

2009 – Broadband USA Initiative – NTIA Round 1

In February 2009, the United States Congress passed the American Recovery and Reinvestment Act (ARRA) of 2009, which “paved the way for a \$7.2 billion grant given to the National Telecommunications and Information Administration (NTIA) and U.S. Department of Agriculture's Rural Utilities Service (RUS) to bolster broadband access across the United States.” Having just completed Phase II of the Community Broadband Planning Study, the Northern Neck was in a good position to request ARRA funds, so it submitted a grant application.

2009 – Formation of the Northern Neck Broadband Authority

2010 – NTIA Round 2

After the Round 1 application was not funded, the Northern Neck applied to Round 2.

2011 – Wireless Broadband Pilot

The Northern Neck Broadband Authority worked together with Airspan and Northern Neck Wireless to begin a pilot project utilizing Airspan's new wireless technology, better designed for “last-mile” service.

2017 – Broadband Panel Discussion

The Authority held a broadband panel discussion at Rappahannock Community College. Panel participants included representatives from RUS-USDA's Telecommunications Program, Internet service providers, the Northern Neck Planning District Commission, the Utilities Telecom Council, and the Northern Neck Electric Cooperative.

2018 – Last-Mile Study

The Northern Neck-Chesapeake Bay Region Partnership provided funding for a feasibility study to allow the Northern Neck Electric Cooperative to look into whether it should become an Internet service provider, since their service territory covers a great deal of last-mile needs.

Internet-Access Services Available in the Northern Neck (Comparable basic services – some of these companies offer additional services at higher monthly costs)

Company	Type	Max./month	Comment	Speed*	Per Month
Dish Network www.dish.com	Satellite	20GB day 50GB night	Free installation (for now).	up to 25 Mbps Download up to 3 Mbps Upload	\$60 with 2-year contract
HughesNet www.hughesnet.com	Satellite Gen5 Plan	30GB day 50GB night	Free installation (for now).	up to 25 Mbps Download up to 3 Mbps Upload	\$60 with 2-year contract
Viasat (formerly Excede) www.viasat.com	Satellite	40GB Unlimited 3-6am	Free installation (with additional \$10/month equipment lease).	up to 12 Mbps Download 3 Mbps Upload	\$70 with 2-year contract (first three months: \$50)
VABB www.vabb.com	Fixed Wireless	25GB	\$150 installation	up to 25 Mbps Download up to 10 Mbps Upload	\$79.99
SignaWave www.signawave.com	4G LTE	Unlimited	\$150 installation fee	up to 3 Mbps Download up to 1.5 Mbps Upload	\$64.95
Verizon Wireless www.verizonwireless.com	Wireless	Unlimited, but may slow down after 15GB	Jetpack device = \$130	5 to 12 Mbps Download 2 to 5 Mbps Upload	\$80 with 2-year contract, plus taxes
Atlantic Broadband www.atlanticbb.com	Cable	250GB/month with Turbo acct.	Limited coverage. Free installation (for now).	Up to 100 Mbps Download Up to 5 Mbps Upload	\$40 plus taxes first year, then \$50

* Note: The FCC's broadband benchmark for download speeds is 25Mbps, and the benchmark for upload speeds is 3Mbps.

Last update: 8/14/18

\$75

The Northern Neck Broadband Authority

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Viasat (formerly Excede) www.viasat.com	Satellite	40GB Unlimited 3-6am	Free installation (with additional \$10/month equipment lease).	up to 12 Mbps Download 3 Mbps Upload	\$70 with 2-year contract (first three months: \$50)
VABB www.vabb.com	Fixed Wireless	25GB	\$150 installation	up to 25 Mbps Download up to 10 Mbps Upload	\$79.99
SignaWave www.signawave.com	4G LTE	Unlimited	\$150 installation fee	up to 3 Mbps Download up to 1.5 Mbps Upload	\$64.95
Verizon Wireless www.verizonwireless.com	Wireless	Unlimited, but may slow down after 15GB	Jetpack device = \$130	5 to 12 Mbps Download 2 to 5 Mbps Upload	\$80 with 2-year contract, plus taxes
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