

ROANOKE VALLEY BROADBAND AUTHORITY

P.O. Box 2569, Roanoke, VA 24010
www.highspeedroanoke.net

MEMBERS:

Kevin Boggess, City of Salem
Kathleen Guzi, Botetourt County
Mike McEvoy, Citizen
Chris Morrill, City of Roanoke
Dan O'Donnell, Roanoke County

Roanoke Valley Broadband Authority Meeting

(NOTE: Change of Date and Location of August Meeting)

Thursday, August 7, 2014 at 8:30 a.m.
Roanoke Higher Education Center (Room 409)
108 N. Jefferson Street, Roanoke, VA 24016

The August meeting of the Roanoke Valley Broadband Authority will be held on **Thursday, August 7, 2014 at 8:30 a.m. at the Roanoke Higher Education Center, 108 N. Jefferson Street (Room 409), downtown Roanoke, VA.**

AGENDA

1. **Call to Order and Introductions** *Chairman Boggess*
2. **Roll Call of Board/Determine if Quorum is Present** *Secretary Strickland*
3. **Approval of the July 18, 2014 Authority Minutes, pp. 3-8** *Chairman Boggess*
4. **Approval of Financial Report, p. 9** *Olivia Dooley, Treasurer*
5. **Presentations** (10-minutes per presentation)
 - *ComCast* *Paul Comes*
 - *Cox Communications* *Margaret-Hunter Wade*
6. **Request for Closed Meeting Pursuant to Virginia Code** *Chairman Boggess*
§2.2-3711(A)(34)

Recess into a Closed Meeting in compliance with Section 2.2-3711(A)(34), Code of Virginia, (1950), As Amended, for the purpose of:

"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](#)."

Broadband Agenda (Cont'd)
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- 7. **End Closed Meeting and Reconvene Regular Meeting** *Chairman Boggess*
- 8. **Adoption of Certification Resolution of Closed Meeting, p. 10** *Chairman Boggess*
- 9. **Action(s) as a Result of the Closed Meeting** *Chairman Boggess*
- 10. **National Broadband Data Profile (*Attachment #1*)** *Matt Miller*
- 11. **Other Business (*Time Permitting*)** *Chairman Boggess*
 - Letter to FCC
 - Upcoming Meeting with Business Community
 - Next Meeting Date
- 12. **Adjournment**

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Clay Goodman, Roanoke County
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MINUTES

A meeting of the Roanoke Valley Broadband Authority was held on Friday, July 18, 2014 at 8:30 a.m. at the Roanoke Valley-Alleghany Regional Commission Office (Top Floor Conference Room) located at 313 Luck Avenue, SW, Roanoke, VA.

1. CALL TO ORDER

Chairman Boggess called the meeting to order at 8:30 a.m. and welcomed those in attendance. He reported that a quorum was not present, but that Mr. Morrill would be arriving shortly from an earlier breakfast meeting. Chairman Boggess stated that both Mr. McEvoy and Ms. Guzi were not able to attend.

Those in attendance were asked to give their name and/or affiliation: Bob Picchi, Blue Ridge Advisory Services Group; Wayne Bowers, Roanoke City Economic Development and Broadband Advisory Committee member; Roy Mentkow, Roanoke City Technology Director; Meredith Hunley, Virginia Tech; Jud Hofmann, Citizen; Steve Dyer, DyTec; Paul Combs, ComCast; Margaret Hunter-Wade, Cox Communication; Sam English, Roanoke Blacksburg Technology Council and Broadband Advisory Committee member; Jeff Terry, Roanoke County Public Schools and Broadband Advisory Committee member; Rob Ledger, Roanoke City Economic Development; Jill Loope, Roanoke County Economic Development; Greg Reed, Western Virginia Water Authority and Broadband Advisory Committee member; Chuck McKinnis, Citizen; and Jacob Demmitt, The Roanoke Times.

Roanoke Valley-Alleghany Regional Commission Staff Present: Olivia Dooley, Jackie Pace and Wayne Strickland.

While awaiting Mr. Morrill's arrival, Chairman Boggess suggested that agenda items not requiring action be presented.

2. SUMMARY OF RECENT PRESENTATIONS TO LOCAL GOVERNMENTS

Chairman Boggess asked Bob Picchi to report on the recent meetings he attended with each board and/or council of the four member governments to receive their feedback about the direction the Authority is headed and the investment it is asking governments to make. Mr. Picchi noted that he gave the same presentation to each government. (1) Roanoke City Council – seemed very receptive and anxious to move forward, noting that they had already budgeted capital towards the project. (2) Salem City Council – seemed very receptive and felt it was an overall positive meeting. (3) Roanoke County Board of Supervisors – from the level of their questioning and engagement, Mr. Picchi felt that they were not as receptive to

the notion as the two cities. Mr. Goodman concurred that the County Board has concerns and questions that will need to be addressed. (4) Botetourt County Board of Supervisors – felt that their reaction was similar to Roanoke County's, noting that Botetourt would also have more questions to be addressed.

Chairman Boggess stated that the main question he receives concerns “over-building” and the existing incumbents. Chairman Boggess stated that there is no intent to “over-build”. He also noted that the incumbents currently don't have an incentive to share or cooperate with the Authority, but at some point the Authority will have to make a decision to move forward.

Chairman Boggess noted that Salem's Electric Department is still interested and excited about the opportunity to work with the Authority. The Authority is still onboard with utilizing the Electric Department's data center and has had discussions with other carriers about interconnections. The possibility of utilizing Salem's dark fiber with some minimal contribution, possibly ramping up to commercial rates as the Authority achieves commercial success, has also been discussed.

Mr. Hofmann asked what could be done by citizens to help convince area boards of supervisors to work with the Authority. Mr. Goodman stated that the Roanoke County Board of Supervisors has concerns and has directed that work sessions be held in the future to discuss the matter. Mr. Goodman stated that presently no Board member has said if they are “in” or “out” on the issue. Mr. Goodman also reported that the Board would be working with the new interim county administrator, Dan O'Donnell, after July 31.

At this time, Chairman Boggess clarified that since a quorum was still not present, the discussion being heard was a courtesy, but normally the Authority would not hold this type of public conversation unless it was through a public meeting. He noted that the Authority would engage and try to answer any further questions before Mr. Morrill arrives.

Mr. Chuck McKinnis stated that he has worked in the communications business since 1984, but was speaking as a citizen. He asked what the challenge or goal was that the Authority was put in place to accomplish? Mr. McKinnis stated that he thinks there is access to the community, noting such carriers as Lumos, Cox, etc., and he feels that to say this community does not have access is not factual. Mr. McKinnis also stated that he did not feel that the proper effort has been made to reach out to incumbent providers that already exist. He also reported that there are multiple rings already here and the challenge is the last mile, which is where the real costs are involved, and he feels that has not been talked about.

Chairman Boggess responded that the Authority's objective is “open access” which may or may not involve the incumbents. Chairman Boggess stated that he agrees there is access to broadband throughout the Roanoke Valley, but questions whether it is competitive both in terms of speed and price. Chairman Boggess stated that the Authority is here because of a request by the business community who felt that our region was being left behind from an economic development perspective.

3. CLARIFICATION OF THE ROLE OF THE WESTERN VIRGINIA WATER AUTHORITY

For clarification purposes, Chairman Boggess stated that the Western Virginia Water Authority has recently been identified as a member of the Roanoke Valley Broadband Authority. Chairman Boggess noted that Mike McEvoy is the citizen representative on the Broadband Authority, who happens to be employed by the Western Virginia Water Authority. The Western Virginia Water Authority is not a member of the Roanoke Valley Broadband Authority.

4. ROLL CALL/DETERMINE IF QUORUM IS PRESENT

Upon the arrival of Mr. Morrill at 9:05 a.m., Wayne Strickland, Secretary to the Broadband Authority, called the roll and stated that a quorum was present.

Broadband Authority Members Present: Kevin Boggess, City of Salem; Clay Goodman, Roanoke County; and Chris Morrill, City of Roanoke. Broadband Authority Members Absent: Kathleen Guzi, Botetourt County and Mike McEvoy, Citizen.

5. APPROVAL OF MINUTES

Chairman Boggess stated that there were two sets of Broadband Authority Minutes requiring approval – the May 30, 2014 Joint Meeting of the Broadband Authority and Broadband Advisory Committee and the June 6, 2014 Special-Called Meeting of the Broadband Authority.

Chairman Boggess reported that a change has been requested for the May 30, 2014 Minutes (p. 4, Item #5, under Other Business).

Text from May 30, 2014 Minutes:

“Margaret Hunter-Wade announced that Cox Communication will make its Ultimate High Speed Internet service available in Roanoke, making the speeds of its other popular tiers of Internet service up to three times faster. With speeds as fast as 100Mbps, Cox is continuing to provide its customers the fastest speeds in Roanoke. The new speeds automatically go into effect on July 17, 2014. Cox Communications reported that Roanoke was the first in Virginia (in 3 markets) for residential service 150 megabyte speed increase, at no cost to customers.”

Revise Text to Read:

“Margaret Hunter-Wade announced that Cox residential customers in Roanoke, on the Ultimate Tier, now have speeds as fast as 150Mbps. The speed increase was automatic and customers received the increase at no additional charge. Roanoke is the first Cox market in the Commonwealth of Virginia to launch the 150Mbps download speeds and the new speed is the result of a \$4.6 million investment in the Roanoke network in the last two years. Additionally, Cox Communications announced plans to offer residential Gigabit speeds with market-wide deployment anticipated by the end of 2016.”

ACTION:

Upon motion by Mr. Goodman, seconded by Mr. Morrill and carried, the Minutes of the May 30, 2014 Joint Meeting of the Roanoke Valley Broadband Authority and the Roanoke Valley Broadband Advisory Committee were approved, as amended, and the Minutes of the June

6, 2014 Special-Called Meeting of the Roanoke Valley Broadband Authority were approved, as distributed.

6. TREASURER'S REPORT

The Financial Report, for the period January 20, 2014 – June 30, 2014, was previously distributed in the agenda mailing. Treasurer Olivia Dooley requested that discussion and action on a proposed FY'15 budget for the Broadband Authority be postponed until the September 19, 2014 meeting.

ACTION:

Members of the Broadband Authority unanimously agreed to accept the Financial Report, for the period January 20, 2014 - June 30, 2014, as presented, and to postpone discussion and action on a proposed FY'15 budget until the September 19, 2014 meeting.

7. ELECTION OF OFFICERS

Chairman Boggess reported that the following officers were elected at the Authority's first official meeting on January 17, 2014: Kevin Boggess, Chairman; Mike McEvoy, Vice Chairman; Wayne Strickland, Secretary; and Olivia Dooley, Treasurer. At the January meeting, the board agreed that it would be best to keep on schedule (i.e., term ending dates) and to hold elections again at the June 2014 meeting. (*Note: No June meeting was held.*) The next two year term for officers will run from July 1, 2014 to June 30, 2016.

ACTION:

Upon motion by Mr. Goodman, seconded by Mr. Morrill and carried, the current slate of officers was reaffirmed for a two-year term (July 1, 2014 to June 30, 2016): Kevin Boggess, Chairman; Mike McEvoy, Vice Chairman; Wayne Strickland, Secretary; and Olivia Dooley, Treasurer.

8. REQUEST FOR CLOSED MEETING PURSUANT TO VIRGINIA CODE §2.2-3711

A motion was made by Mr. Morrill, seconded by Mr. Goodman to convene a Closed Meeting as authorized by Virginia Code §2.2-3711(A)(6) for the following purpose:

Discussion or consideration of the investment of public funds for potential extension of fiber optic lines, where competition or bargaining is involved, if made public initially, the financial interest of the Authority would be adversely affected pursuant to Virginia Code Section 2.2-3711(A)(6).

The motion was adopted and carried as follows: Mr. Boggess – Aye, Mr. Goodman – Aye, Ms. Guzi – Absent, Mr. McEvoy – Absent, and Mr. Morrill – Aye. The Roanoke Valley Broadband Authority went into a Closed Meeting at 9:15 a.m.

9. END CLOSED MEETING AND RECONVENE REGULAR MEETING OF THE BROADBAND AUTHORITY

A motion was made by Mr. Morrill, seconded by Mr. Goodman that the Broadband Authority end the Closed Meeting and reconvene its regular meeting.

The motion was adopted and carried as follows: Mr. Boggess – Aye, Mr. Goodman – Aye, Ms. Guzi – Absent, Mr. McEvoy – Absent, and Mr. Morrill – Aye. The Roanoke Valley Broadband Authority ended the Closed Meeting and reconvened its regular meeting at 10:05 a.m.

10. RESOLUTION OF CERTIFICATION OF CLOSED MEETING

A motion was made by Mr. Goodman, seconded by Mr. Morrill to adopt the following certification resolution.

CERTIFICATION OF CLOSED MEETING

Whereas, the Roanoke Valley Broadband Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Roanoke Valley Broadband Authority that such closed meeting was conducted in conformity with Virginia law.

Now, Therefore, Be It Resolved, that the Roanoke Valley Broadband Authority hereby certifies that, to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Roanoke Valley Broadband Authority.

The motion was adopted by a roll call vote as follows: Mr. Boggess – Aye, Mr. Goodman – Aye, Ms. Guzi – Absent, Mr. McEvoy – Absent, and Mr. Morrill – Aye.

11. ACTION(S) OF THE AUTHORITY AS A RESULT OF THE CLOSED MEETING

Chairman Boggess stated that Broadband Authority members would review with their elected officials the discussions concerning additional contracts and a potential Request for Proposals. The Authority hopes to take some type of action within the next 30-60 days.

12. OTHER BUSINESS

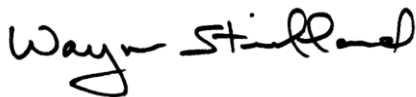
- Authority members discussed what type of meeting to have with the business community to update them on the broadband issue. Chris Morrill stated that the Authority may want to hold a special meeting with more of a roundtable discussion, and have Mr. Picchi at the meeting to present, if needed. Chairman Boggess asked if the business community invitees would be by public invitation. Mr. Morrill responded that it might be appropriate to use the Roanoke Blacksburg Technology Council (RBTC). Mr. English stated that perhaps the RBTC could sponsor the meeting and send invitations to their business community listing.

- The Board was provided with copies of correspondence received from two citizens concerning the Broadband Authority. The first was a letter from Chuck McKinnis, Jr. (*who spoke earlier*) stating his concerns about the “*apparent direction that is being promoted as a solution to Roanoke’s broadband conundrum*”. Authority members stated that some of the text from Mr. McKinnis’ letter referred to work from the initial broadband assessment report prepared in 2012 by Design Nine, which the Authority is not actively considering at this time.

The second correspondence was from Will Trinkle, President & CEO, C.W. Francis Real Estate, who stated that he supports the plan to promote fiber optics in the region. He also stated that his company owns a 50 ft. right-of-way from near Lexington to Roanoke at Hollins University, which is presently unused. After reading an article and learning of the Broadband Authority’s plans, he wanted to make sure the Authority was aware of the right-of-way, should it possibly be helpful or of interest in the Authority’s efforts to bring faster fiber optic broadband to the region. (*A map was included with his correspondence.*)

- Chairman Boggess stated that both ComCast and Cox Communications have requested to make a presentation at an upcoming broadband meeting. Members agreed that it would be best to hear from both groups (tentatively set for the August meeting). In order to accommodate other agenda items, Chairman Boggess asked both organizations to limit their presentations to 10-minutes each.
- Discussion focused on the date of the next regularly scheduled meeting of the Roanoke Valley Broadband Authority which would be Friday, August 15, 2014 at 8:30 a.m. at the Regional Commission office. Several board members noted conflicts on that date and asked that the date be changed to accommodate a quorum, if possible. Members tentatively agreed that the next meeting date would be Thursday, August 7, 2014 at 8:30 a.m., pending input from Mr. McEvoy and Ms. Guzi. Commission staff will send a notice to members and interested parties with the confirmed date, time and location for the August meeting. The meeting information will also be posted on the Broadband website (www.highspeedroanoke.net).

The meeting was adjourned at 10:15 a.m.



Wayne Strickland, Secretary,
Roanoke Valley Broadband Authority

ROANOKE VALLEY BROADBAND AUTHORITY

Financial Report

January 20 - July 31, 2014

DATE		FOR			BALANCE
1/20/2014	Deposit	Loan from RVARC		5,000.00	5,000.00
1/22/2014	Check 091	Roanoke Times (RFP Adv)	126.72		4,873.28
1/31/2014		Balance			4,873.28
2/25/2014	Check 092	VML (Insurance 2/1 - 6/30/2014)	344.00		4,529.28
2/28/2014		Balance			4,529.28
3/31/2014		Balance			4,529.28
4/2/2014	Deposit	City of Roanoke		28,600.00	33,129.28
4/18/2014	Check 093	BRASG Inv #578	10,379.48		22,749.80
4/14/2014	Deposit	City of Salem		28,600.00	51,349.80
5/30/2014	Check 094	BRASG Inv #580	15,867.93		35,481.87
6/06/2014	Check 095	BRASG Inv #582	17,201.83		18,280.04
6/06/2014	Check 096	VML Insurance 14/15	837.00		17,443.04
7/18/2014	Check 097	BRASG Inv #585	10,213.01		7,230.03

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**AUGUST MEETING OF THE ROANOKE VALLEY BROADBAND AUTHORITY
THURSDAY, AUGUST 7, 2014* at 8:30 AM
ROANOKE HIGHER EDUCATION CENTER (Room 409) ***

CERTIFICATION RESOLUTION

**RESOLUTION CERTIFYING CLOSED MEETING WAS HELD IN CONFORMITY
WITH THE CODE OF VIRGINIA**

WHEREAS, the Roanoke Valley Broadband Authority has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Roanoke Valley Broadband Authority that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, that the Roanoke Valley Broadband Authority hereby certifies that, to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting which this certification resolution applies; and
2. Only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Roanoke Valley Broadband Authority.

****Note the Date & Location Change of the August Broadband Authority Meeting***