

**LOUISA COUNTY BROADBAND AUTHORITY
BOARD OF DIRECTORS
LOUISA COUNTY OFFICE BUILDING
1 WOOLFOLK AVENUE
LOUISA, VIRGINIA
JANUARY 6, 2015
7:00 P.M.**

Present: Melvin Burruss, Steve Duren, Brian Sullivan, Bernie Hill, Mary Johnson, and Garth Wermter

Absent: Mark Luttner

Others Present: Mike Lockaby, County Attorney; Bob Hardy, Information Technology Director, Allyson Finchum, Community Development Director; Stephanie Koren, Board of Supervisors, Mineral District; and Fitzgerald Barnes, Board of Supervisors, Patrick Henry District

CALL TO ORDER

Mr. Burruss called the January 6, 2015, meeting of the Broadband Authority (BBA) Board of Directors to order at approximately 7:00 p.m., which was followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

December 17, 2014

On the motion of Ms. Johnson, seconded by Mr. Sullivan, which carried by a vote of 5-0-1, with Mr. Wermter abstaining because of his absence from the meeting, the Board approved the minutes of the December 17, 2014, meeting.

UNFINISHED BUSINESS

Discussion Item: Budgeting Process

Mr. Sullivan said he submitted a draft proposal to Mr. Goodwin and after review, he tentatively agreed to the numbers and the format. Mr. Goodwin further requested that Mr. Sullivan provide a narrative to include justification and an overall summary of the request in a word document. Mr. Sullivan said once that was completed, he would forward the information to the BBA for review.

Discussion Item: Update – Telecommunications Ordinance/Master Plan Revisions

Ms. Johnson said she had emailed a semi-final draft to the BBA for review and provided an overview of the significant changes in the document.

Discussion ensued amongst the BBA throughout Ms. Johnson's update in regards to structure heights, scale and size of required maps, exemptions for government installations, and setbacks. After discussion, the BBA decided to table further comments until after closed session where additional items could be discussed.

Discussion Item: Information to be Presented to the Board of Supervisors for the January 20, 2015, Update

Mr. Burruss reminded the BBA that an update of the Authority's progress would be presented to the Board of Supervisors at their next meeting. Mr. Burruss said once documents were finalized, an overview of the proposed Telecommunications Ordinance revisions, proposed budget, and future plans would be assembled to present.

PUBLIC COMMENT

Mr. Brian Gilbreth, Louisa District and owner of CVALink, commended the BBA on their efforts and asked that the proposed fee schedule be reevaluated in order to potentially further reduce expenses.

CLOSED SESSION

On the motion of Ms. Johnson, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to enter Closed Session at 7:42 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711.A.29 VA Code Ann., for the purpose of discussion of the award of a public contract involving the expenditure of public funds, including the discussion of the terms or scope of the contract where discussion in an open session would adversely affect the bargaining position or negotiation strategy of the public body, specifically relating to the contract for consulting services for project planning and development.
2. In accordance with §2.2-3711.A.7 VA Code Ann., for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by counsel, specifically relating to the issue of exemption of governmental entities from the otherwise applicable provisions of the ordinance.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Wermter, seconded by Ms. Johnson, which carried by a vote of 6-0, the Board voted to return to regular session at approximately 8:46 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

On the motion of Mr. Wermter, seconded by Ms. Johnson, which carried by a vote of 6-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Broadband Authority Board of Directors has convened a Closed Meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by the Louisa County Broadband Authority Board of Directors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED that the Louisa County Broadband Authority Board of Directors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Broadband Authority Board of Directors.

| <u>NAME</u> | <u>VOTE</u> |
|----------------|-------------|
| Mary Johnson | Yes/Aye |
| Brian Sullivan | Yes/Aye |
| Bernie Hill | Yes/Aye |
| Melvin Burruss | Yes/Aye |
| Steve Duren | Yes/Aye |
| Garth Wermter | Yes/Aye |
| Mark Luttner | Absent |

UNFINISHED BUSINESS (cont.)

Discussion Item: Update – Telecommunications Ordinance/Master Plan Revisions (cont.)

The BBA discussed the fee schedule and the motive behind the recommended charges. After discussion, the BBA decided to keep the proposed fee schedule as drafted.

On the motion of Mr. Hill, seconded by Mr. Wermter, which carried by a vote of 6-0, the Board voted to approve the draft ordinance with the changes as discussed earlier in the meeting.

Discussion Item: Recommendation – Firm for Consulting Services

On the motion of Mr. Duren, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to accept the proposal from Design Nine for consultant services.

Mr. Lockaby mentioned that the contract should be ready for signature next week.

Discussion Item: Information to be presented to the Board of Supervisors for the January 20, 2015, update

Mr. Barnes suggested that the BBA provide the presentation to staff in advance of the Board meeting to allow the Board the opportunity to review the information and present any questions directly to their appointed member prior to the meeting. Ms. Koren agreed.

The BBA briefly discussed specifics of the presentation and the BBA decided to postpone the presentation until the Board's February 2, 2015, meeting and schedule a worksession on Wednesday, January 21, 2015, to work out the details and request that the consultant be present to begin discussions on the next stage.

PUBLIC COMMENT

Mr. Larry Zemke, Mineral District, stated that he was pleased the BBA had finished the proposed amendments to the Telecommunications Ordinance; however, he was concerned that it still required the CUP process, which could take 180 days before approval.

WEBSITE UPDATES

Mr. Hardy indicated that he would add the December 17, 2014, minutes, information concerning the award of the contract to Design Nine, as well as the progress on the Telecommunications Ordinance to the website.

Mr. Hardy added that he would draft a press release for Mr. Burruss for announcing the award of the contract to Design Nine.

ADJOURNMENT

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to adjourn the January 6, 2014, meeting at approximately 9:00 p.m.

BY ORDER OF:

MELVIN BURRUSS, CHAIRMAN
BOARD OF DIRECTORS
LOUISA COUNTY BROADBAND AUTHORITY