

**LOUISA COUNTY BROADBAND AUTHORITY
LOUISA COUNTY OFFICE BUILDING
1 WOOLFOLK AVENUE
LOUISA, VIRGINIA
SEPTEMBER 5, 2018 7:00 P.M.**

Present: Mary Johnson, Jeffrey Zivick, Bernie Hill, and Timothy Layne, Ed Jarvis, Melvin Burruss, Jim Ogg (non-voting)

Absent: Tommy Barlow, Mark Luttner, Duane Adams

Others Present: Bob Hardy, Louisa County Information Technology Director, Dr. Andrew Cohill, Mark Bowles

CALL TO ORDER

Ms. Johnson called the September 5, 2018, regular meeting of the Broadband Authority (BBA) Board of Directors to order at 7:00 p.m.

Ms. Johnson led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

On the motion of Mr. Hill, seconded by Mr. Jarvis, which carried by a vote of 5-0, the Authority voted to approve the Adoption of the Agenda.

APPROVAL OF THE MINUTES

On the motion of Mr. Hill, seconded by Mr. Zivick, which carried by a vote of 5-0, the Authority voted to approve the August 1, 2018, regular meeting minutes as amended.

PUBLIC COMMENT

There was none.

NEW BUSINESS

Discussion- Conditional Use Permit Applications

CUP2018-07 Verizon Wireless (CCC Road)

Mr. Jarvis mentioned he did not see that the applicant had submitted a request for proposal. The tower will be on the Southside of CCC Road at 9,300 ft. He noted this will cause the planes to go out further and make a left turn before taking off. Mr. Jarvis stated according to Part 77 they have strict guild lines when you are doing an application. The guidelines include:

- The applicant must file with FAA 45 days prior to construction, if structure will exceed 200ft above ground.
- The structure will be in approximate to an airport and will exceed the slope ratio.
- Structure involves construction that would exceed 77.9

Mr. Jarvis stated he entered in the latitude and longitude information and it concluded that the tower exceeds the noticed criteria, therefore the applicant must file with FAA.

Ms. Johnson said she found in their application the Certificate of Conformance along with FAA regulations proof of compliance that Verizon is providing results on. She stated due to the site's location, it was determined the proposed tower, with a height of 199 ft., will require FAA notification. Ms. Johnson stated the applicant is aware of this requirement.

Mr. Hardy said there needs to be more than FAA notification, there also needs to be permission.

Ms. Johnson agreed with Mr. Hardy's statement. Ms. Johnson stated notification and registration with the FCC should be done as well. Once the facility has been analyzed by the FCC and FAA, all results and requirements will be shared with Louisa County prior to being incorporated into the final design.

Mr. Ogg stated it seems to be in a direct violation to an FAA rule, the Authority cannot be expected to approve it.

Ms. Johnson noted the Authority does not approve it, the Authority will provide recommendations and comments. Ms. Johnson said the Authority would like to see the results from the FAA.

Questions and comments were addressed by the Authority concerning the CUP2018-07.

CUP2018-08 Verizon Wireless (River Bend Island) and CUP2018-09 NTC (North Anna River)

Ms. Johnson opened the floor for any questions regarding CUP#2018-08 and CUP#2018-09.

Mr. Jarvis commented on CUP2018-08. He explained how there are a number of planes that fly above Lake Anna where the proposed tower will be located. He further explained how every 4th of July, Lake Anna has quite a few planes fly over that area. Mr. Jarvis said he notified Lake Anna that there will be a tower in the area.

Mr. Hardy stated even if the towers are under the 200ft., FAA requires that you make the towers more visible by painting it.

Ms. Johnson stated the consensus of the Authority with the three CUPs appear to not have any concerns besides filings with the FAA and FCC.

On the motion of Mr. Zivick, seconded by Mr. Hill, which carried by a vote of 5-0, the Authority voted to state that the LCBA had no objections to the CUP application as long as all of the proper filings (FAA, etc.) were completed.

UNFINISHED BUSINESS:

Discussion – LCHS, Jouett Elementary School, and Moss-Nuckols Elementary School Tower Construction Update

Dr. Cohill passed out a summary of activities done in August. He stated all three towers are erected, and they are finishing up work around the towers. He noted the next plan is to complete and submit the Trevilians' site plan. Dr. Cohill recommended the Authority authorize Mountain Valley to order the Trevilians' Tower immediately. Dr. Cohill stated a letter to Mountain Valley would be very prudent.

Mr. Hill said he does not understand the need for authorization. He stated the Authority has signed a contract with Mountain Valley, so it would be prudent on their part to do it as quickly as possible.

Ms. Johnson said an affirmation from the Authority to go ahead and move forward would be necessary since the site plan is not prepared yet.

Mr. Hardy stated the Authority will need a purchase order for the tower.

Dr. Cohill stated the site plan will be a high priority and will be worked on first thing in the morning.

Ms. Johnson asked if there has been arrangements made to have the property lines marked to show where the Tower will be located.

Dr. Cohill said the survey has been ordered.

Mr. Hardy mentioned that Mr. Bowles suggested they go out and walk the site, specifically where they plan to have the Tower. Mr. Hardy requested the preliminary site plan be sent to him. Ms. Johnson mentioned the hand out it states the building permit has been issued for Trevilians.

Dr. Cohill stated he is not sure if it has been issued, but believes the building permit has to be issued by the County as a pending item.

Ms. Johnson gave thanks to Mountain Valley for their repairs on the fences that the schools were concerned about.

Discussion – Proposed Towers

Trevilians Elementary School

This item was discussed under LCHS, Jouett Elementary School, and Moss-Nuckols Elementary School Tower Construction Update

Holly Grove Site

Ms. Johnson stated she appreciates members of the Authority for reaching out and making connections to interested parties.

Mr. Hardy referenced his handout with the three potential sites for the towers in Holly Grove. Mr. Hardy said if you go too far down in the corner where they were offered some land, you will end up with 30 to 40 % of your coverage in Goochland County and the idea is to cover as much as we can in Louisa County.

Mr. Hill asked Mr. Hardy to outline the steps after a Landowner agrees to offer their land to be used for a tower site.

Mr. Hardy stated the Landowner would sign a letter of agreement then apply for a CUP.

Mr. Hill asked how we determine if it's a good site for a tower.

Mr. Hardy said the Holly Grove area is where the Authority was planning on putting a tower in the first place.

Mr. Hill asked who is responsible for maintaining the road.

Mr. Ogg responded it is the Tenant's responsibility, not the Landowners.

Questions and comments were addressed by the Authority regarding the Holly Grove site.

Buckner Bypass Park

Mr. Hardy stated an RFP has been sent out for a site in the Bypass area. The RFP has been sent out to two tower companies who expressed interest in this area. Mr. Hardy said they are solely looking for someone who wants to do a ground lease on County property for them to build a cell tower on.

Ms. Johnson asked when the RFP will be closed.

Mr. Hardy said it will close on Tuesday, September 11, 2018 at 3:30 pm.

Discussion – System-wide Lease RFP

Mr. Hardy stated SCS has sent back the final copy of the System-wide Lease with a couple of minor changes. He said the plan is to spend 60 days to install the equipment on each tower. Mr. Hardy said the timeframe is assuming they are going to build the towers in separate time frames.

He said if they are to be built at the same time, then they would not be able to get all three towers done in 60 days.

Mr. Welchel addressed the Authority stating the SCS would like to have time in between each tower to adjust the equipment and to bring on customers before moving on to the next tower.

Mr. Zivick asked if a cover survey is done on the tower once everything is fine tuned.

Mr. Welchel said yes, in some cases they have to do a lot more of it because of valleys and hills.

Mr. Zivick asked if the coverage map would be provided to the County.

Mr. Welchel explained on their website each tower will have a rough propagation map on it. This map can be viewed by anyone in the County.

Ms. Johnson asked for clarification on tower completion.

Mr. Hardy stated Dr. Cohill and Wide- Open will tell us when everything on their end is complete. He said the SCS will notify the Authority when the tower's equipment is complete. Mr. Hardy said in terms of identifying a time frame, Dominion has submitted all their forms and payment. Mr. Hardy said Jouett has electricity and LCHS is still having issues with power. Mr. Hardy said Dominion has put flags out at LCHS to where they are going to run the line. Mr. Hardy stated the point to point equipment is in Mountain Valley's contract to install the backhaul equipment. This equipment cannot be installed until a route is established and the height of each tower, Mr. Hardy stated this issue is being worked on.

Mr. Ogg asked how far they are from FCC approval for Aviat Radio equipment.

Mr. Hardy replied FCC is significantly backed logged in some areas. Mr. Hardy stated Aviat cannot submit the application until we tell them where the tower is going to be located. Mr. Hardy said he is working with SCS to see if it's possible they can go on their Chopping Road tower.

Questions and comments were addressed regarding the completion of the towers.

Discussion – Systems Operations (Towers, Backhaul, and Fiber)

This item was discussed under System- Wide Lease RFP

Discussion – Co-location of Louisa County EMS Radio Towers

This item was discussed under System- Wide Lease RFP

TREASURER'S REPORT /APPROVAL OF THE BILLS

Mr. Hardy passed out a handout and explained the details on what each color is referring to and how each person would be paid. Mr. Hardy stated all the invoices have that been submitted are approved.

Mr. Zivick asked Mr. Welchel in the marketing materials is there any indication that this is part of the Louisa County Broadband System.

Mr. Welchel replied no, but suggested doing a press release.

Mr. Layne stated what is required to have the System- Wide lease signed, and who has to sign the lease.

Mr. Hardy said the Board of Supervisors appointed the Broadband Authority to manage the leasing of the Towers.

On the motion of Mr. Zivick, seconded by Mr. Layne, which carried by a vote of 5-0, the Authority voted to authorize the Chairman to sign the SCS System-Wide Lease Contract.

PUBLIC COMMENTS

None

CHAIRMAN/GENERAL MANAGER'S REPORT

None

DIRECTOR AND LIAISON REPORTS

None

CONSENT AGENDA

None

CLOSED SESSION

None

ADJOURNMENT

On the motion of Mr. Hill, seconded by Mr. Layne, which carried by a vote of 5-0, the Board voted to adjourn the September 5, 2018, regular meeting at approximately 8:11 p.m.

NEXT MEETING

The next Broadband Authority meeting will take place on Wednesday, October 3, 2018, at 7:00 p.m.