

AT A REGULAR MEETING OF THE JOINT MEETING OF THE RAPPAHANNOCK COUNTY BROADBAND COMMITTEE AND THE RAPPAHANNOCK COUNTY BROADBAND AUTHORITY HELD ON MONDAY, April 26, 2021, AT 5:30 P.M. AT THE RAPPAHANNOCK COUNTY COURTHOUSE, 250 GAY STREET, WASHINGTON, VIRGINIA.

CALL TO ORDER

Acting Chair Donehey called the meeting to order at 5:30 P.M.

Authority Board Members present: Debbie P. Donehey; Christine Smith; Ronald L. Frazier; I. Christopher Parrish, Keir A. Whitson.

Others present: Garrey W. Curry, Jr., County Administrator.

PLEDGE OF ALLEGIANCE

Ms. Donehey led attendees in the Pledge of Allegiance.

MOMENT OF SILENCE

Ms. Donehey requested that attendees observe a moment of silence

ADOPTION OF AGENDA

Mr. Whitson moved to amend the order of the agenda to move C. Public Comment to item E. on the agenda. D. Presentations. Mr. Parrish seconded the motion. The motion carried unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain:

Mr. Parrish then moved to adopt the amended agenda and Mr. Whitson seconded the motion. The motion carried unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain:

ELECTION OF OFFICERS

The Broadband Authority next considered election to the positions of: Chair, Vice-Chair, Secretary, Treasurer, FOIA Officer.

CHAIR - Mr. Parrish nominated Debbie Donehey to serve as Chair of the Broadband Authority. Ms. Smith noted there were no other names put forward for this position and moved to close nominations, which passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain

VICE CHAIR - Chair Donehey nominated Ms. Smith as Vice Chair. Mr. Parrish noted there were no other names put forward for this position and moved to close nominations, which passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain:

SECRETARY - Vice Chair Smith asked for clarification of what the position of Secretary entailed and whether the Secretary of the Broadband Authority needed to be a member of the Authority or could be filled by someone in a support staff role. Chair Smith referred to the previously adopted Authority By-Laws which stated the position of secretary could be filled by a non Authority Board member. Vice Chair Smith nominated Margaret Bond to be Secretary. Chair Donehey moved to close nominations; Mr. Parrish seconded the motion which was passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain

TREASURER – Vice Chair Smith asked if this position could be filled with a non-Authority Board member. Mr. Parrish pointed out the Authority had no budget or funds assigned to it and that under these circumstances anyone could be appointed Treasurer. Mr. Parrish nominated Rappahannock County Treasurer Debra Knick for this position. Ms. Donehey explained she had spoken to Ms. Knick about serving as Authority Board Treasurer, and that while the Authority had no funds at present, she anticipated the Authority would have multiple millions of dollars in its account. Mr. Whitson moved to close nominations which passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain:

FREEDOM OF INFORMATION ACT (FOIA) OFFICER – Mr. Parrish nominated Rappahannock County Administrator Garrey Curry as FOIA Officer. Vice Chair Smith moved to close nominations, which passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain

PRESENTATIONS

Chair Donehey introduced Dr. Tamarah Holmes, Director of Office of Broadband at the Virginia Department of Housing and Community Development who addressed the Authority Board via Zoom. Chair Donehey referenced Director Holmes' presentation to Warren County. Director Holmes explained the Office of Broadband functions:

1. Assist communities with broadband planning efforts.
2. Provide technical assistance to Virginia stakeholders to access private and federal funding.
3. Virginia Telecommunication Initiative (VATI) program, the so-called last mile deployment program which now has a \$50 million budget for the '20-'22 budget cycle to provide last mile connections. This program has been active since 2019. Governor Northam has set a goal of universal¹ (broadband) coverage in the Commonwealth by 2028.
4. Technical assistance in developing and submitting VATI grant applications.
5. State broadband map, currently being developed by Virginia Technical University Center for Innovative Technology. This organization has State funding to build a new state broadband map which will require providers to submit their service data on where they are providing service. This map will be complete by FY 2022. This map is necessary right now because the only other source for such information at present is from the FCC which has incomplete data.

Director Holmes then asked about the needs of Rappahannock County planning efforts, unserved areas, needs for secondary data, and where the County is looking for funding for last mile. Director Holmes pointed out that VATI program requires counties to enter into a public-private sector partnership with ISPs to be eligible for funds. According to Director Holmes, a broadband authority can apply for a VATI grant for the locality as a unit of local government. Further, Virginia is experimenting with a one-year pilot program in which public broadband authorities which are owner/operators of a broadband service can apply for the VATI program funding

¹ Director Holmes did not define what state guidelines considered as "universal." See PUBLIC COMMENT section below.

without securing a private sector partner. She said they would be able to fund up to 10% of their budget, but that applicants would need to supply good financials to qualify.

Chair Donehey referenced three maps created by the Rappahannock County Public School (RCPS) and the Rappahannock Rapidan Regional Commission (which illustrate data RCPS compiled on reliability² of broadband service reported by County families with school age children. She noted that the data described graphically on the RCPS maps was confusing because some of the areas that should indicate strongest service (such as areas where fiber optic connection is available, such as along 522 and 211) actually show zero access.

Tamarah Holmes indicated her office could be helpful in providing more detailed data to fill out the broadband map for the County. She highly recommended using the GIS map and other resources at the Broadband Office to “do a deeper dive” and pull in some secondary data. She said this approach would help the Authority target sources of additional information it needs.

Chair Donehey asked Director Holmes if her Office has data on where internet service providers, including wire providers, are located³. Director Holmes said she could help the Authority identify those providers using secondary data her Office had compiled. She also indicated her Office had or could obtain additional information from Federal Communication sources, state school data, and other secondary sources and could work with the County to get more information the Authority needed.

Chair Donehey asked about assistance identifying possible partners for VATI grant application. Director Holmes told the Authority her Office was aware that Comcast had entered into a number of public-private partnerships for VATI applications to provide broadband services in the state. Mr. Curry identified Shentel and Starlink for receipt of RDOF and might be potential partners. She also said that the state had also funded a number of both wired and wireless broadband service plans.

Director Holmes told the Authority meeting that the 2022 draft guidelines for VATI applications had recently become available and that she could send the Authority copies of this document. She indicated that VATI program was allowing ISPs to leverage their RDOF grants. She said the VATI program is looking to bigger county broadband projects and that VATI funds could be used for regional projects across county boundaries or areas within the county that were non-contiguous.

Vice Chair Smith indicated that Madison County was considering setting up a broadband authority and that they might be a partner for a regional broadband project. Chair Donehey suggested the Authority Board might want to have a conversation with Mr. Yowell, Board of Supervisors, Madison County and Ms. Kullers, Chair, Warren County Board of Supervisors to see how a VATI application would work. She wondered how funds received for such a regional grant would be distributed.

² These maps are included as attachments to these minutes. As noted in minutes for March 2021, RCPS did not define “reliable” broadband referenced on these maps, or how it measured reliability of service to RCPS families.

³ Chair Donehey and Vice Chair Smith identified Comcast, Shentel, AT&T, T-Mobile, Sprint, Piedmont Wireless, Hughesnet, Starlink, and Direct TV as representative internet service providers in Rappahannock County.

Director Holmes said that counties in Virginia's Northern Neck had organized a regional project to provide broadband services and received a VATI grant. She said the participants identified one county as lead to receive the VATI funds and then became a fiduciary for the other participating counties to administer and distribute the monies. In response to a Board question, Director Holmes indicated the last round of VATI funding included three multi-county applications.

Mr. Curry asked if regional VATI applications received additional points. Director Holmes told the Authority Board that the discriminator was not whether the application was regional for scoring additional points, but more if the application was for a universal broadband project. That designation would fit the Governor's guidelines for universal broadband coverage throughout the state. She said applying for VATI funds was like taking an open book test and that her Office was available to help complete the application. "We're here to help you be successful," she said.

As far as application timeline, the County would need to submit a notice of intent to apply for a VATI grant in July, but would not have to have a partner identified. The completed VATI application would be due in September. By that date, the County would need to identify a private partner or partners for its plan. Director Holmes assured the Authority Board that she could help with this "E-Harmony" match and every other step of the project. "We're here to help you be successful," she said. She assured the Board that VATI grants were technology neutral and that included both wired and wireless partners. She also pointed out that Rappahannock had quite a number of potential partners who are already doing business in the County. Some counties, she said, have only one or two incumbent providers as partners. She also suggested the County could put out a request for resources (sic) to see if there are other potential partners interested.

Vice Chair Smith said the County anticipated receiving another round of federal assistance in the future. She asked Director Holmes, now that Rappahannock had a broadband authority, if she recommended reserving some of these funds to apply toward the County's 20% percentage contribution for a broadband VATI application. Director Holmes said she would recommend the County set aside some of this money so it would have "skin in the game" for the VATI match. Vice Chair Smith asked about a number the County should be shooting for? Director Holmes said that would really depend on who much the selected provider-partner would be putting up. She followed on by saying companies can leverage RDOF and other grant monies toward their share of matching funds.

Vice Chair Smith asked, in light of VATI program being "technology neutral" would it be within program guidelines for Starlink to be a partner. Director Holmes responded that, at this time, the VATI program did not consider satellite broadband eligible for funds and as Starlink was essentially a satellite-based system, it would not be eligible as a private partner with the County for a grant application. However, she said, just because Starlink purports to provide coverage for a particular area of the County, it would still be possible to apply for VATI coverage over an area Starlink has designated to serve in its RDOF grant.

Chair Donehey asked Director Holmes about different grant programs to help low income families to afford Starlink subscriptions. She referenced programs that provided financial

assistance to school systems for low income families. In particular, Director Holmes referred to a pilot Starlink beta test program in Wise County that received financial assistance for its low income families⁴. She said there are other school systems that have been able to get assistance for low income subscribers with school age children.

In summary, to get situated to apply for VATI funds, Tamarah Holmes recommended Rappahannock County first steps

1. Assign a staff person to work with Office of Broadband to develop a matching plan for universal coverage;
2. Connect with the Office of Broadband team to develop a broadband action plan for the next three to five years;
3. Identify a private partner for the 2022 VATI funding for this plan, but if the County were not able to do so, it should still submit its notice of application in July;
4. If possible write a grant for the next round of VATI and see if you could get funding; if the County does not get VATI funds ,it would learn where it stands for the next round;
5. Look for additional funding for the application such as, such as through ARP funding which would provide an additional match. The County could also Use available school system information and identify pockets in the County where it does not have service and then try and find a partner for these areas.

Vice Chair Smith referenced the RCPS maps which were provided for the March Broadband Authority Board meeting and the present one. She indicated the maps were not clear on identifying areas where children don't have access to broadband service or where they are not able to afford existing service.

Mr. Curry said, from his conversation with Dr. Robin Bolt, the data for the maps is homogenized in order to protect the privacy of the families who provided information. The maps are a combination of data on families that have no access or no means of access. The first map was prepared to show location of school children without reliable access. It doesn't tell the whole story because it included areas where Comcast service was available, but the maps still showed no reliable access. To help clarify these data the next maps showed where there are children who reported having access. For example, through Amissville on 211 there is a dark blue line indicating there are a lot of children that have access. And there are a lot of children on this length of road who do not have access. So, looking at these two together, the GIS tech working on the maps subtracted the number of children who lacked access from the number of children who did have access and plotted the results on the third map.

⁴ **Wise County – Starlink Program for School Kids**

https://roanoke.com/opinion/editorial/editorial-how-elon-musk-got-paired-up-with-wise-county/article_02f7cc98-4172-11eb-9165-2b52ba49fbef.html

From Roanoke Times

<https://www.wisek12.org/page/press-release-spacex>

Director Holmes said her office could take data like this and overlay it with information they have from RDOF program and other GIS and other secondary information and help fill out the broadband picture for the County. Vice Chair Smith suggested the Broadband Authority Board provide the Broadband Committee's 2018 Interim Report to the Board of Supervisors to Ms. Holmes Office of Broadband to help with their efforts to create an accurate broadband coverage map for the County.

WISP need to use a licensed frequency to participate in VATI? No. Office has engineer on staff to answer technical questions

Director Holmes advised the Authority Board that if it were interested in working with her Office it should send an E-mail to her and indicate it wanted to work on applying for the VATI program. Director Holmes' Office would schedule a facilitated planning session. In this session, for example, individuals from the Broadband Task Force would start identifying where broadband assets are in the County, where ISPs currently provide service, where there are other information resources available, and where there are pockets which don't have broadband coverage. The Task Force would start compiling secondary data on areas where the lacked information. The internet service provider partner could also provide information.

DISCUSSION

Vice Chair Smith pointed out the Broadband Authority was established to pursue funding opportunities and now VATI offers such an opportunity. She pointed out that, the Authority did not have to have a complete plan by July to submit a VAIT application, but would have to "put its foot in the door" (with a notice of intent to apply for a VAIT grant) and then work with the Office of Broadband to complete its plan and application by September.

Mr. Frazier queried what the Authority Board would be applying for. He said the maps RCPS provided show there are five families coverage on Viewtown Road and five without. Mr. Frazier said he knew Comcast comes partway down Viewtown Road and that Piedmont Broadband has ability to reach those who are not covered. So, he asked, do we have a problem with lack of access because there is no ISP to serve them or of families who cannot afford it and so lack of access for that reason? Do we need more information before we apply for VATI or do we just apply for funds and keep working to finding out the answers?

Chair Donehey suggested making the initial contact with the Office of Broadband team and working with them to try and get all these necessary details through information it has access to. The July application would be important just to indicate Rappahannock wants to "be in the game." The hard work happens after that to get a plan and a grant application together and get a partner. Mr. Frazier said he supported getting the first communication out saying the County wanted to work with them, even if the data details are lacking. Difficulty may be in subsidizing subscriptions. Mr. Curry pointed out that VATI would not fund subsidies for broadband service, only expanding service to residents. The question he said is not: If we build it will they come? But if we build it can they afford it? He suggested there may be a different way to work on subsidizing service, for example, through encouraging competition to bring prices down.

Chair Donehey voiced her support for sending a letter to Director Holmes' team to ask for help getting better data. Vice Chair Smith moved that the Broadband Authority follow up with Director Holmes and send her an email asking for her Team's assistance in developing a broadband plan with a goal to applying for a VATI grant in 2022. Mr. Whitson seconded the motion which passed unanimously.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain

PUBLIC COMMENT

Mark Anderson – Piedmont District. Mr. Anderson disclosed he is related to the Broadband Authority secretary. Mr. Anderson pointed out that, in her March presentation, Dr. Holmes did not define “universal” broadband coverage in her presentation. She started to say it was 90% coverage but then backed away from that number. He reminded the Authority Board that the County's Comprehensive Plan for broadband put universal at 95% coverage. However, as to Mr. Frazier's point, saying a household has coverage does not mean they have signed up for coverage or even if they can afford it. He said he had had a discussion with the RCPS Dr. Bolt about subsidizing broadband subscriptions. She said there is a Department of Education program that could provide support for families with school age children to subsidize the cost of their broadband. That would be ongoing and wouldn't have anything to do with VATI or RDOF. He thought RCPS is pursuing this federal subsidy program right now. He also pointed out that Dr. Bolt did not say what monthly fee would be considered “affordable” or provide a definition of what the families she canvassed considered “reliable” broadband service. He said these terms need to be defined.

Mr. Anderson said he picked up on Director Holmes' reference to Broadband Authority “staff” for the County to assign to prepare grant applications. He thought such staff may be hard to find, considering the skillsets and time required to work on a broadband plan and grant application. Nonetheless, Mr. Anderson encouraged the Broadband Authority to submit a notice of interest to apply for a VATI grant this July.

REGULAR AGENDA ITEMS

Community Broadband Mission and Vision – The Broadband Communications Plan was developed by the Broadband Committee which the Board of Supervisors appointed in 2016. The Committee helped develop a broadband mission statement for the County:

To achieve 95% affordable digital subscriber line (DSL), fiber optic (fiber) or equivalent broadband transmission service of 2019 Federal Communications Commission minimum standards of no less than 25 Mbps consistent download speed and 3 Mbps consistent upload speed with low latency for Rappahannock County residents, businesses, schools, government, and volunteer organizations. The strategies will incorporate system architecture adequate to expand broadband delivery service to 100 Mbps download

speed by year 2030 to ensure future growth needs for business development, education, teleworking, healthcare, public safety, home entertainment, personal data, and voice communication.

Chair Donehey considered whether 95% coverage may be too high for the County to achieve or whether affordability is going to be a hang up to achieving universal connectivity. She said she thought 25/3 (download/upload speeds) is pretty consistent with current standards. Mr. Frazier said aiming for 95% goal may be a lofty goal to achieve but would not limit the County's plans. He said there are really three factors affecting universal coverage: people who don't want to sign up for available service; people who can't afford service that is available to them; and getting service to areas where people want it, but it's not available.

Mr. Whitson said that the description of the County's broadband mission statement would likely be a part of any application for grant money such as what the Broadband Authority is considering. It is important to make sure we are comfortable with these terms and if there's any fine tuning that ought should be done the BA have time in the next couple months to take care of it.

Mr. Curry explained that 25/3 was inserted by the Broadband Committee because that was the minimum required for all of the grant money. He referred to an earlier discussion of Piedmont Broadband's coverage. He indicated that, although Piedmont could reach many households in Rappahannock County, with the technology it had available, this standard was currently unachievable. He pointed out that Piedmont was continually upping its technology for its microwave hops to approach the 25/3 standard. New partners may be able to help the county achieve a minimum of 25/3 coverage.

Mr. Curry also spoke of the importance of "future-proofing" any investment the County considers for its broadband plans so that the county knows the money it spends today and how long it will meet future needs.

Mr. Parrish asked about the trend for residents to shift from a fiber or WISP broadband service to getting service through hot spots that use cell phone signals. Mr. Curry explained it's all the same thing whether a radio signal you get through your cell phone or from a Piedmont radio signal you get through an antenna you mount on the side of your house. Some cell providers historically imposed data caps on their service. More providers, such as Venison on the Sperryville tower, without caps. But this system does not work everywhere in the County because not everyone can get a cell signal. He said the Broadband Authority has a good opportunity ahead to work with the technicians at the Virginia Department of Housing and Community Services to figure out all the details of working with existing providers to upgrade and expand coverage.

Mr. Parrish also raised the issue of possible health hazards of increasing the number of towers and wireless transmissions. Mr. Curry pointed out that the scientific community did not consider wireless systems to pose a health risk to residents, and that issue was not a factor any of the granting authorities considered.

DRAFT

Mr. Whitson recommended the Authority Board members look at the mission statement again before the next meeting and make sure they are comfortable with it as the Board goes forward with pursuing grant applications. Chair Donehey suggested the Board members could email their comments for consideration at the next Board meeting.

OPEN BOARD DISCUSSION

The Authority Board determined there were no further issues to discuss.

ADJOURN

Vice Chair Smith moved to adjourn, and Mr. Whitson seconded the motion. The motion carried. The meeting was adjourned at 6:38 p.m.

Aye: Donehey, Frazier, Parrish, Smith, Whitson.

Nay:

Abstain:

Respectfully submitted:

/S/

Margaret Bond