

Lancaster County Broadband Authority

Minutes of Board Meeting

April 7, 2021

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**Please note, the full video recording of this meeting is available on the County of Lancaster’s UTube Channel:** [**https://www.youtube.com/channel/UCW27tNN8FVB2KNg15zCzgnw**](https://www.youtube.com/channel/UCW27tNN8FVB2KNg15zCzgnw)

**1.** **Call to Order:** Cassie Thompson called the meeting to order at 4:30 p.m. in Board/Commission meeting room of the County Administration Building. Cassie Thompson, Kevin Bean, Cherie Kiser, Dr. Gary Silverman, Michele Craddock, and Dr. Robert Westbrook were present. Jack Larson, Ernest Palin, Jason Bellows, William Lee, and Nicholas Pascaretti attended by video conference. Don Gill and James Carr, CEO of All Points Broadband, LLC (“APB”) attended as guests.

**2. Public Comment:** Cassie Thompson announced that the LCBA will begin each meeting with public comments. Everyone will be allotted three minutes to comment. Chuck Rusinak stated that he and other citizens wrote a letter with questions they would like the LCBA to answer. He presented the letter to Cassie Thompson without further comment. Dr. Charlotte Silverman stated that as a Lancaster resident, she feels left out and believes there is a lack of transparency with the LCBA. She asked for more communications with the public about the LCBA’s plan and information regarding its projects, such as the Smart Poles.[[1]](#footnote-1) She stated that she knows there is a motto: “Fiber Everywhere.”[[2]](#footnote-2) Dr. Charlotte Silverman stated that she has been to the LCBA’s website and things have been outdated and not current. She asked for the LCBA to have a dialogue and noted that she would like to see more articles in the paper.

**3. Approval of Minutes:** Minutes of the March 17, 2021 meeting were approved: Dr. Silverman motioned for the approval; Kevin Bean seconded the motion; and all members voted in favor of the motion.

**4.** **Presentation by All Points Broadband, LLC**: James Carr, CEO of APB made a presentation to the LCBA inviting Lancaster County to partner with APB, Northern Neck Electric Cooperative (“NNEC”) and Dominion Energy Virginia (“Dominion”) (collectively “APB Partners”) to achieve universal fiber-to-the-home (“FTTH”) for all remaining **unserved** locations in Lancaster County.

Mr. Carr provided a description of the plan:

* The APB partners will leverage LCBA’s work to accelerate deployment and reduce costs.
* Compared to other recent projects (VATI), the County’s local match commitment would be reduced by 82%.
* APB is opening two offices on the Northern Neck in Q3 2021.
* In the last 6 months the APB Partners have obtained more than $51 M in state and federal grant funding and stakeholder co-investment to complete projects with partner communities.
* APB’s lead investor is Akre Capital Management, a Virginia based investment advisor with more than $16 billion in assets under management.
* APB Partners will leverage Dominion’s middle mile fiber network to make last-mile feasible. APB will be the last mile.
  + Dominion/APB will work with property owners to sign supplemental communications agreements.
* The APB Partners FTTH partnerships with King George, Northumberland, Richmond, and Westmoreland Counties are Phase I participants in the FTTH plan and the Virginia State Corporation Commission (“SCC”) issued an order approving Dominions participation in Phase I in March 2021.
* The APB partners are inviting additional counties to participate in Phase II with plans to submit Phase II to the SCC for approval in November 2021, and if approved, for customer installations would begin in August 2022. King William County has accepted APB’s proposal to participate in Phase II.
* In Lancaster, Phase II would include approximately 2,700 unserved locations.

Mr. Carr stated the next steps for Lancaster County would be:

* For the County/LCBA to execute a non-binding memorandum of understanding with APB Partners.
* LCBA would share information to finalize the scope of the project in Lancaster.
* Lancaster County would be asked to make the same local match as the Phase I participants ($650,000) less a credit for LCBA’s work ($75,000) with a net cost to Lancaster County of $575,000 ($213 per service connection @ 2700 passes).
* This is an 82% reduction compared to the local match provided by Lancaster in its most recent grant funding application (the VATI grant match).
* This achieves universal FTTH for approximately 2,700 currently unserved locations.
* This plan does not require any additional grants or subsidies in the future.[[3]](#footnote-3)

Mr. Carr stated this is an accelerated path to universal FTTH:

* The regional initiative leverages the significant investments from Dominion and NNEC.
* Participating in Phase II will enable Lancaster to accelerate the deployment of FTTH to unserved locations.
* If we begin now, fiber deployments in Lancaster will begin next summer and be completed 8/2024.

Mr. Carr responded to the LCBA’s questions stating:

* The LCBA would not need to pursue any other opportunities because APB plans to serve all unserved locations.
* Pricing will be $65 for 50 by 50 symmetric; $99 to get to one gigabyte. He indicated that we should check pricing to VATI proposal, which is higher, i.e., 1gb/s symmetrical is listed at $159.95.
* APB will be eligible to participate in the federal government (FCC) programs to obtain lower pricing for low-income households.
* APB is open to discussing additional ways to assist low-income households.
* In its RDOF application APB included its maximum price for service.
* APB has $49 plans in different markets.
* Dominions’ RDOF territory includes Lancaster County. They are committed to one gigabyte in RDOF areas.
* Timing is a factor; by participating now we can collectively accelerate FTTH.
* APB currently services customers in the New River Valley and he can provide references and information on the services it offers in that area.
* Where APB uses Dominion Fiber their relationship is pursuant to long term leases.
* APB’s work with Dominion is in unserved areas. It currently does not have plans to serve anyone on the lower end of FCC defined broadband service.
* He cannot speak for Dominion on whether Dominion would contract with LCBA to allow it to utilize Dominion’s middle mile network to bring FTTH in areas APB has no intention of serving even after the Dominion project is completed.
* Last year when APB spoke with the LCBA the APB Partners planned to apply to the SCC for certification in December, but they applied months in advance and were approved in March 2021.
* Phase II would start to be constructed by August 2022.
* There will be a $99 installation fee for each household, which includes installing up to 1,000 feet of fiber down the homeowner’s driveway.
* The MOU is non-binding.
* Dominion is not a member of APB. Dominion started working with APB in 2019. APB responded to a solicitation from Dominion.

**5.** **Discussions:**

1. Cassie Thompson announced the hiring of consultant Nicholas Pascaretti in the capacity of Executive Director and welcomed him. Mr. Pascaretti began his new assignment at the beginning of April. Mr. Pascaretti is a highly qualified and experienced individual with outstanding qualifications. He has a proven track record in the design, deployment, construction, operations, and maintenance of broadband systems. He possesses strong project management, administrative and organizational skills. Mr. Pascaretti served from 2008-2017 as the Executive Director of the very successful Eastern Shore of Virginia Broadband Authority, where he was an original member of that Authority which worked to construct and operate a fiber optic network. Prior to that position, Mr. Pascaretti served in a number of senior positions in business and network operations.
2. Cassie Thompson reviewed the Board of Supervisors request for vision and mission statements, and a business plan. She asked Nicholas Pascaretti to prepare the business plan. She asked Michele Craddock to recirculate the draft vision and mission statement she drafted.
3. Cassie Thompson asked the directors to consider assignment of the BTS contract from the County to the LCBA. The Authority took a break to enable the members to review the contract. After the break, Dr. Silverman made a motion to accept the assignment from the County of the BTS contract; Cherie Kiser seconded the motion; and all members voted in favor of the motion.
4. Cassie Thompson provided an update on her communications with Mark Walker, Director and Senior Program officer for the Jessie Ball duPont Foundation. The foundation has a total budget of $1.5 million for all of the counties they support in the area. Mr. Walker is available to answer questions in advance of a formal presentation from the LCBA. Dr. Silverman reviewed the near final presentation. Dr. Silverman eliminated the high-end homes from the presentation. Cherie Kiser noted that we should highlight the areas on Shore Drive, which will service low-income households and students. Dr. Silverman also prepared an alternative proposal slide with an interim fixed wireless solution and potential telecomm service at the Nuttsville recycling center, which is County owned.
5. The members discussed the APB proposal, including which locations would be considered “unserved” by APB and how the homes served by the Cares Act wireless project will be impacted. Dr. Westbrook asked whether the LCBA should even consider the APB proposal and instead install another tower for the short term and work on bringing FTTH as an ISP like the Eastern Shore of Virginia Broadband Authority. Kevin Bean pointed out that APB is able to bring FTTH much more inexpensively than LCBA because it is working with Dominion and NNEC, which are in the business of installing cables and they own the utility poles so there are no utility pole fees. Cherie Kiser noted that LCBA is not currently an ISP and there is a considerable amount of work involved in setting up an ISP. APB is well ahead of LCBA and it is also taking advantage of Federal funds, which the LCBA does not have to date. The members discussed the possibility of contracting with Dominion to provide last mile FTTH using Dominion’s middle mile. The members discussed whether the LCBA should decline the VATI grant in light of the APB proposal. Nicholas Pascaretti noted we need to seriously entertain APB’s proposal in light of the cost savings and the contract can have performance requirements. Kevin Bean suggested we ask the duPont Foundation to pay the County contribution to the APB project. Cassie Thompson noted her concerns regarding our desire for an open access network. Dr. Silverman will send an email to James Carr requesting APB’s references and introducing him to Nicholas Pascaretti.
6. Cassie Thompson noted that she has forwarded the policy on travel and reimbursement to each director.

**4. Schedule next meeting and adjourned: Kevin Bean** madea motion to adjourn the meeting at 7:15. Dr. Silverman seconded the motion. All members voted in favor of the motion. The next regular meeting will be held on April 21, 2021 at 4:30 p.m.

Respectfully submitted,



Secretary

1. The Smart Poles project is a CARES ACT funded project of Lancaster County, not the LCBA. [↑](#footnote-ref-1)
2. The LCBA has not adopted this motto, but it does have a goal of bringing affordable broadband services (preferably fiber) to all residences and businesses in Lancaster County. [↑](#footnote-ref-2)
3. Mr. Carr, however, indicated that APB might apply for additional grants. [↑](#footnote-ref-3)