

Minutes
Board of Supervisors
Work Session
September 7, 2021

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, Jr., District 1 (Participated Electronically)
Allen Louderback, District 2
Jeff Vaughan, District 5

Absent: Mark Stroupe, District 3
Larry Foltz, District 4

Staff Present: Amity Moler, County Administrator
Michael Helm, County Attorney

Call to Order:

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on Tuesday, September 7, 2021, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. The Call to Order was followed by Invocation given by Duane Painter and the *Pledge of Allegiance*. A quorum of the Board was present, but not physically assembled for the meeting.

All Points Broadband Presentation:

Jimmy Carr, All Points Broadband, expressed appreciation for the opportunity to attend to talk about an opportunity to bridge the digital divide in Page County, with the highest quality telecommunications infrastructure available that is fiber to home. He then gave an overview of the company. He said that year-to-date in 2021, All Points has received more than \$51 million in state and federal grants and electric utility co-investment for projects in their partner jurisdictions. He reviewed the Northern Neck initiative and said that project took a similar approach to what they are proposing to the Shenandoah Valley project this year. For that project, they partnered with the Northern Neck Planning District Commission as well as two electric utilities, Dominion Energy Virginia and the Northern Neck Electric Cooperative. For the Shenandoah Valley project, they have partnered with the Northern Shenandoah Valley Regional Commission as well as three electric utilities, Dominion Energy Virginia, Rappahannock Electric Cooperative and Shenandoah Valley Electric Cooperative. They developed a plan to achieve fiber to home broadband in initially four and later five counties and that project was fully funded by the state last year. In July 2021, Page elected to join the first phase of a regional initiative to develop and execute a strategy to achieve universal fiber to the home broadband for all unserved locations in the County, and in the region, through the principal third-party source of funding, which would be the state Virginia Telecommunications Initiative (VATI) program.

Last year, the state allocated \$50 million in General Funds to this program. In early August, the state took another \$700 million of its share of the federal ARPA money and put it into this program. As of today, of the seven counties that participated in Phase I, four have decided to proceed at the local match level to participate in the competitive regional application. He said they have developed a design for universal fiber-to-home network to serve the 3,800 locations in the County that are not served by wired, gigabit capable broadband and not slated to be served through other related Federal funding programs. The purpose of the presentation is to present their high-level design and to seek the Board's approval to include Page County with the larger regional application they are submitting and an endorsement of the recommended local match component, contingent upon grant award.

Mr. Carr then reviewed the project overview as follows:

- Project includes approximately 305 miles of fiber infrastructure to extend to all remaining unserved areas;
- Overall project cost will require \$29.8 million in funding
- All Points would secure \$10.3 million (35%) of total project cost
- VATI application would provide \$11.7 million (39%)
- County contribution would be \$7.8 million (26%) al eligible for ARPA funding

He pointed out that according to the guidance on the eligible uses of ARPA funding it is supposed to be used to invest in future proof infrastructure that is capable of delivering 100 megabits per second download and 100 megabits per second upload. He said that fiber is the only last mile technology that can reliably deliver that type of speed. Another priority in the guidance is partnerships involving electric utilities and cooperatives.

The project outcomes are:

- Fiber-to-the-home broadband available to 100% of currently unserved locations
- Network based on XGS-PON architecture, meaning it is scalable to symmetrical 10 Gbps to each location (10,000 x 10,000)
- Standard installation fee of \$199:
 - All customer premises equipment
 - 500-foot service drop included
 - Long drop charges waiver for 12 months
- Residential service offerings:
 - 50 x 50: \$59.99 (fixed)
 - 100 x 100: \$79.99
 - 500 x 500: \$99.99
 - 1000 x 1000: \$109.99

If more of a drop for service is needed than 500 foot, then the standard charge is \$1.20 per liner foot, which is their cost plus 10%. For the first year after service is available at a location, a person would only pay \$199 to get service.

Mr. Carr outlined that Page's local match would be contingent on receipt of the VATI grant award and execution of an agreement with All Points regarding the project. The grant application submission is due September 14, 2021, as part of the regional application through the Northern Shenandoah Valley Regional Commission (NSVRC). The state has announced that the results for this round of applications will be made in December. The NSVRC will serve as the fiscal agent and administer the project; therefore, All Points and the Commission would enter into an agreement with the state to formally accept the grant award and the County would enter into an agreement with the Commission. The project would be substantially complete within 24 months of the VATI grant award and the completion of electric utility fiber routes. He noted that the County's local match commitment is not due until such time as qualifying construction activities have taken place in the County. He noted that the definition for the ARPA program requires 25 megabits per second for download and 3 megabits per second for upload from a wire.

Supervisor Vaughan asked who are they competing with. Mr. Carr responded that the application is competing with all the other applications that other counties or regions across the state have submitted to VATI.

Mr. Carr explained that for a low- or moderate-income household if they were an emergency broadband eligible recipient, there is a \$50 a month price reduction, so they would pay \$9.99 a month and the current plan is to make that program permanent at \$30 per month. Therefore, a low- or moderate-income household would have a \$30 discount. Most consumers today are spending something for DSL, mobile hotspots, satellite or paying data overages on their phone, even if they do not have fiber or cable broadband at their home. The benefit to the community is that in the future anyone who moves to this area or wants to stay in this area the broadband infrastructure is in place for people who want it.

Chairman Phenix indicated that this is not an offer that will likely be around past September 14th.

Supervisor Vaughan asked if the Board approves to participate in the project, how will the County's share be funded. Mrs. Moler said the County received \$4.6 million in ARPA funds and there is about \$4 million that has not been spent. In addition, the County has a Fund Balance that could be used. Supervisor Vaughan said he did not have a problem moving forward, but he wants to make sure of the impacts to the budget.

Supervisor Guzy asked if the County will be 100% fiber connected for broadband. Mr. Carr replied no. There are 3,800 locations that are eligible that are unserved, according to the current definitions. Supervisor Guzy asked if it turns out to be more households, will the price increase. Mr. Carr stated that the County's obligation is fixed; they are obligated to deliver on the grant. There are 3,800 locations in the County that are not

served by 25 x 3 or better service from a wired connection and are not required to be served by another provider through another federal program. From all of those locations, there will be sufficient distribution infrastructure in place and people who want to subscribe to service could do so. Supervisor Guzy said he has to justify voting for \$7.8 million in taxpayer money with limited information. Mrs. Moler clarified that the Board could use \$4 million from ARPA funds and \$3.8 million from the Fund Balance.

Chairman Phenix asked Mrs. Moler for her recommendation. Mrs. Moler expressed concern if the County does not move forward with the opportunity that it will not be available again at the quoted price.

Mrs. Moler asked what happens if some of the homes included in the estimate do have coverage that is higher than the required amount, will that decrease the County's share of the cost. Mr. Carr responded that according to the current rules, an area is considered unserved if it does not have wired service of 25 x 3. If there are ineligible passings included in the project then they would have to rescope the project and remove them and in the event that occurs they would have to do the financial analysis with the County and present the revised proposal that the County would have to endorse before going forward.

Supervisor Louderback asked if we have less than 3,800 locations then does the price go down. Mr. Carr said it probably would. The reason they do not do a straight location increase or decrease is that every location is different. It is expected that if there is a significant decrease in the number of locations, the County's match would go down, but it's not as simple to say that it would decrease by the same amount because they would have to look at the cost of the new project with those locations removed. Supervisor Louderback said if the Board decides to proceed would that guarantee that every person in the County would have service. Mr. Carr responded that every person who is not served by 25 download x 3 upload today or required to be served through another federal program where they have already accepted buildout obligations to do so would be served. If service was not available to a location then it would be eligible for inclusion in this project.

Mr. Helm explained that there are only three Board members physically present and the fourth is attending electronically, but to satisfy appropriate quorum requirements there needs to be four physically present. He stated that three members constitutes a meeting under FOIA, but he discouraged any formal action.

After discussion, the Board agreed to have a special meeting on September 9, 2021, at 5:00 p.m., to further discuss and take action on the proposal with All Points Broadband.

Stanley Rescue Squad Update:

Scott Morris, Stanley Volunteer Rescue Squad President, stated that he is aware of the many conversations held by the Board regarding the volunteer EMS agencies. He said

the purpose of his update is to show the Board what they are doing in Stanley. He said they are working hard to mitigate some of the issues that have been talked about. In July, the volunteers answered 35% of their calls. He noted that with the career EMS staff on duty from 6:00 a.m. to 6:00 p.m., the volunteers have vacated that time slot. So, they have focused on timeframes that would better serve the community outside of the EMS staff. He said the agency is focusing on answering calls from 6:00 p.m. to 12:00 midnight. He reviewed the stats going back to May for the agency and said their response has increased. They are working hard to control the timeframes that they can control. He noted that they have people who are dedicated, with 14 people currently pulling duty. They are working on the membership requirements to create a new class of membership that if someone is with another EMS agency and want to pull calls with Stanley they can do so. They are doing this in order to attract more people to serve the community. He proposed that a working group be formed of the three volunteer EMS agencies along with the County EMS career staff where they work together to solve the problems. He stated that the membership at Stanley is very proud and they have a lot of lifelong members who are still running calls.

Review of Rezoning Request – IBR Corporation:

Tracy Clatterbuck, Zoning Administrator, explained that IBR Corporation has filed an application to rezone property located at 5550 US Hwy BSN 340, Stanley, VA, and further identified by tax map number 72-A-38 which contains 1.15 acres. The property is currently zoned as Agriculture and has several uses such as a vacant detached garage, retail & residential apartment, and two single family dwellings. IBR Corporation purchased the property in February 2007. The applicant is requesting to rezone the parcel from Agriculture (A-1) to Commercial (C-1). They would like to lease the existing vacant detached garage to an already established local business that does mobile metal work/welding. The use of the garage would allow them the opportunity to expand their current mobile-only business. Pursuant to Section 125-12.B(2) of the Page County Zoning Ordinance, metal working and welding is permitted by-right in the C-1 zoning district. The other uses of the property would not be affected by the rezoning because they are all by-right uses in the C-1 district. The applicant contacted VDOT and they have no objection because there will be no additional impacts to the state road. There are also no objections from the Building Department. The Health Department noted that the existing sewage disposal system could support no more than nine employees. She recommended that the Board consider a joint public hearing with the Planning Commission.

After discussion, the Board decided to vote to have a public hearing at the next regular meeting, since a quorum was not physically present.

Social Services Board Structure:

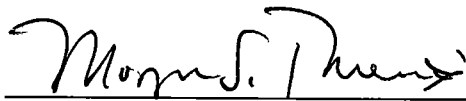
Mrs. Moler explained that the Code of Virginia grants the authority to the Board of Supervisors to establish the type of Social Services Board. Currently, the Social Services

Board is administrative, but the Board has the opportunity to change it to an advisory board, due to complaints of performance and lack of response. In order to function at an acceptable performance level for the citizens, the administrative board needs to be changed to an advisory board, and appoint the County Administrator as the administrative supervisor.

After discussion, the Board agreed to discuss this further and take action at the next regular meeting, since a quorum was not physically present. Mr. Helm said the establishment of the Social Services Board would need to be codified.

Adjourn: 8:56 p.m.

With no further business to discuss, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator