APPROVED MINUTES | November 8, 2018

Meeting Title: WV Broadband Enhancement Council Meeting

Chairperson: Robert Hinton

Date: 11.8.2018

Time: 10:00 am

Location: WV Capitol Complex
Bldg. 3, Room 124 Conference Room

Audio Connection: 304.957.6999
Conf. ID: 935-9172#

P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

Council Member | Representing | Council Member | Representing
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P | Robert Hinton, Chairman | Rural Business User | W. Clayton Burch | WV Dept. of Commerce, Interim Cabinet Secretary
P | Robert Morris, Vice Chairman | Urban Residential User | Jeff Proctor | Representing W. Clayton Burch
TC | Michael J. Holstine Secretary-Treasurer | Rural Business User | Dr. Steven L. Paine | Dept. of Education, State Superintendent
TC | Ric Cavender | Urban Business User | Brenda Morris | Representing Dr. Steven L. Paine

P | Robert Cole | Rural Residential User | The Honorable Robert Plymale | WV Senate (D) (Ex-Officio/Advisory Member)
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P | John Dunlap | Office of Technology, Chief Technology Officer | The Honorable Craig Blair | WV Senate (R) (Ex-Officio/Advisory Member)
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TC | K.A. "Pete" Hobbs | Rural Residential User | The Honorable Roger Hanshaw | WV House (R) (Ex-Officio/Advisory Member)
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TC | John Reasbeck | Rural Business User | The Honorable Kenneth Hicks | WV House (D) (Ex-Officio/Advisory Member)

P | Matt Turner | Higher Education Policy Comm., Exec. Vice Chancellor | Vacant | Business User
-
-
Representative | Agency | Representative | Agency
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P | Mitch Blake | Director, WV Geological and Economic Survey | Tony Simental | WV GES, Office of GIS Coordination
P | Mark Debruyn | WVOT Infrastructure Manager, CTO Proxy | Kelli Talbott | WV Attorney General’s Office Legal Counsel
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P | Peter Markham | Bowles Rice Legal Counsel | Wes White | WV Development Office Legal Counsel
P | Alexandra Shulz | Bowles Rice Legal Counsel | Kelly Workman | WV Development Office Development Manager
P | Tony O'Leary | WV Development Office Project Manager |

Agenda Item | Details/Minutes
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1. Call to Order, Opening Remarks and Roll Call | Chair Rob Hinton called the meeting to order at 10:10 a.m.
2. Approval of 10/18/2018 Council Meeting Minutes and Financial Statement | Robert Morris motioned to accept the October minutes as presented; Jeff Proctor second; motion passed unanimously. Mr. Morris motioned to accept the financial statement as presented for audit; Mr. Proctor second; motion passed unanimously.
3. **Dig Once Policy Update**  
Chair Hinton said the DOH did release and approve a Dig Once policy update for carriers to submit applications for permitting under Dig Once Code. Since notification, four separate projects have been requested for permits. Chair Hinton said questions and comments with the updated policy have been made to Council and those would be discussed with DOH. Kelly Workman with the Development Office added that policy became effective October 16, 2018. She detailed the type of information that is submitted with the notifications and Council staff is maintaining the Carrier list that companies must notify when submitting a Dig Once notification. Ms. Workman presented a list of questions being asked about the policy which she said is common occurrence with a new policy and that the questions and issues will need to be further discussed with WV Division of Highways and possibly legislators for updated language in the Dig Once law.  
Chair Hinton asked Mr. Proctor to schedule an Infrastructure Committee meeting before the next full Council meeting with DOH and industry representatives to further discuss the questions and comments posed about the new policy.

4. **ARC POWER Broadband Development HUB**  
Ms. Workman gave details about the ARC POWER grant which will be used to identify and assess broadband infrastructure in 10 ARC Distressed counties. She noted the WV Geological and Economic Survey agency is the recipient and administrator of the grant in partnership with the Broadband Council and the WV Division of Highways. Ms. Workman said the grant will revive the broadband mapping initiative that was halted in 2014 in those 10 counties and work with the DOH to assess broadband infrastructure located in DOH right of way. Once this gets underway, Ms. Workman said, the grant partners will then provide enhancements to Council website, resulting in an encompassing one-stop guide to broadband development in the state.

State GIS Coordinator Tony Simental detailed his meeting with DOH officials regarding plans to obtain Right of Way permit data so that the WVGES can identify and map where fiber is located. Mr. Simental distributed sample letters and guidelines that will be sent to providers to request their data.

Chair Hinton noted that there is an MOU that needs to be executed between the Council, WVDOH and WVGES for this POWER grant. Mike Holstine motioned to approve the MOU as presented and Matt Turner second. Motion carried unanimously.

Mr. Proctor motioned, and Mr. Morris second, that the Council support and approve the letter to be distributed from WVGES to ISPs. Chair Hinton said he would co-sign the letter to demonstrate the Council’s support.

5. **WV GES (Survey) MOU to Maintain the Speed Test Portal and Interactive Mapping System**  
Mr. Proctor motioned, and Mr. Morris second, that the Council renew another 12-month MOU - as presented - with WVGES to maintain the speed test portal data and interactive mapping system. Motion passed unanimously.

Upon discussion about a donation of a server from a private business to assist in the collection of Speed Test data, Chair Hinton recommended more information be obtained about the arrangement for any possible conflicts.
Chair Hinton briefed the Council on the HUD CDBG - Technology and Innovation program in which applications were due by October 30, 2018. He noted that 11 applications were submitted and four were for infrastructure and seven for planning. The amount of 2018 requests totaled $2.4 million and 14 counties were represented. Chair Hinton noted than in two years in which the Governor permitted broadband projects be eligible for CDGB funding, 37 of the 55 counties have become involved in the program.

Chair Hinton suggested that the Council could host a day-long workshop in March or April for all CDBG broadband recipients and those counties that have applied for the grant to learn more about the program and to apply for CDGG funding.

Ms. Workman gave a recap of this conference. She said broadband project teams from across Virginia were present to discuss their best practices. Ms. Workman said Virginia still faces many of West Virginia’s challenges such as topography and extending service to rural areas.

The three primary takeaways from the conference included. 1. Each community must develop a vision for broadband and to prioritize infrastructure projects. 2. States and local governments need to develop broadband-friendly policies that support economic development. 3. Broadband is important for every age group because it is a specific element of a growing and progressive community. It is a necessary condition because there is no substitute for broadband connectivity.

Ms. Workman said it would be beneficial to the Council and staff bring NTIA into West Virginia for a similar summit.

Council member Pete Hobbs and Council member proxy Mark DeBruyn of the Office of Technology also attended this conference.

Chair Hinton noted several upcoming related events which included:

- Health Information Technology Summit: Nov. 14, Charleston
- SHLB, Schools, Health & Libraries Broadband Coalition, Broadband Legislation in Congress: Nov. 15.
- FCC Rural Road Tour: December 3-4, Charleston, Huntington, Bridgeport, Clarksburg, Morgantown.

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9. Public Comments

None

10. Next Meeting Date

December 13, 2018; 10:00 a.m.; Building 3, 8th Floor Conf. Room

11. Adjournment

Meeting was adjourned at 11:19 a.m.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Assigned To</th>
<th>Month Identified</th>
<th>Target Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Consultation with WV DOH-ROW Policy/Dig Once Policy</td>
<td>Council, WVDO, WVOT</td>
<td>May</td>
<td>Ongoing</td>
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<td>2.</td>
<td>Cooperative Toolkit and Training</td>
<td>Workman, O’Leary, Generation WV, WVU Law</td>
<td>June 2017</td>
<td>ARC grant funds pending</td>
</tr>
</tbody>
</table>

**Attendees**

Terry Ellis – Comcast
Mark Polent – WV Cable Telecom Association
Samantha McCreery – WVGES
Bradley Andrews – ACLC
Charlie Dennie – Alpha Technologies
Chris Morris – Citynet
Marlene Hackett – The Hackett Praxis
Loarie Butcher – LHB Strategies
Michael Graney – WV Development Office
Hallie Mason – Mason Consulting
James Bailey – Governors Office (TC)
Paul Kamienski – Citizen (TC)