



# WEST VIRGINIA BROADBAND ENHANCEMENT COUNCIL

## MEETING MINUTES | March 14, 2019

<b>Meeting Title</b>	WV Broadband Enhancement Council	Time	10:00 a.m.
<b>Chairperson</b>	Robert Hinton	Location	<b>Capitol Complex, Bldg. 3, First Floor</b>
<b>Conference</b>	<b>304.957.6999 / ID: 935-9172#</b>	Attendance	P = Present; TC = Teleconference; VC = Videoconference; _ = Absent

	Council Member	Representing		Council Member	Representing
P	Robert Hinton, Chairman	Rural Business User Congressional Dist. 2	-	C. Edward Gauch	WV Dept. of Commerce, Cabinet Secretary
TC	Robert Morris, Vice Chairman	Urban Residential User	P	Jeff Proctor	Representing Secretary Gauch
TC	Michael J. Holstine Secretary-Treasurer	Rural Business User Congressional Dist. 3	-	The Honorable Robert Plymale	WV Senate (D) (Ex-Officio/Advisory Member)
TC	Robert Cole	Rural Residential User Congressional Dist. 1	-	The Honorable Craig Blair	WV Senate (R) (Ex-Officio/Advisory Member)
P	R.A. "Pete" Hobbs	Rural Residential User Congressional Dist. 3	TC	The Honorable Daniel Linville	WV House (R) (Ex-Officio/Advisory Member)
-	Dr. Steven L. Paine	Dept. of Education, State Superintendent	-	The Honorable Kenneth Hicks	WV House (D) (Ex-Officio/Advisory Member)
P	Brenda Morris	Representing Dr. Paine	-	Ric Cavender	Urban Business User
P	Joshua D. Spence	WV Office of Technology, Chief Technology Officer	-	John Reasbeck	Rural Business User Congressional Dist. 1
P	James Dixon	Representing Joshua Spence	-	Vacancy: Business User Large Amounts of Broadband	
P	Matt Turner	Higher Education Policy Comm., Exec. Vice Chancellor	-	Vacancy: Rural Residential User Congressional Dist. 2	
TC	Dr. Mary Stewart	Representing Matt Turner	-		
	Representative	Agency		Representative	Agency
-	Mitch Blake	Director, WVGES	P	Tony Simental	WV GES, Office of GIS Coordination
-	Peter Markham	Bowles Rice Legal Counsel	-	Kelli Talbott	WV Attorney General's Office Legal Counsel
-	Alexandra Shulz	Bowles Rice Legal Counsel	-	Wes White	WV Development Office Legal Counsel
P	Tony O'Leary	WV Development Office Project Manager	P	Kelly Workman	WV Development Office Development Manager

Agenda Item	Details/Minutes
1. Call to Order, Opening Remarks; Roll Call	Chair Robert Hinton called the meeting to order at 10:03 a.m.
2. Approval of 2/21/2019 Council Meeting Minutes and Financial Statement	Mr. Pete Hobbs motioned to accept the February Council meeting minutes; Mr. Jeff Proctor second. Motion passes unanimously. There were no questions regarding the Financial Statement and Chair Hinton stated they would be filed for audit.

<p>3. March 4, 2019 Announcement by Governor Justice</p>	<p>Chair Hinton recapped the Governor’s press conference announcing that Facebook, through its subsidiary, MMI, and the State have reached an agreement for a long-haul Tier 1 level fiber through West Virginia.</p> <p>Chair Hinton said the deal is the result of work done by the Governor’s Office and the Legislature to make policies more agreeable to such builds and the fiber build will benefit the State by providing an open access network and help achieve level of connectivity throughout the state that the Council continues to advocate.</p> <p>Mr. Robert Morris complimented Chair Hinton on all the work he did with this project while representing the Council and assisting the Department of Commerce. Mr. Mike Holstine and Delegate Daniel Linville also complimented the Council and Department of Commerce for its efforts throughout the negotiation process.</p> <p>Chair Hinton said the build route is anticipated to run through the state from the southeast, toward Beckley and Charleston and west as it will connect data centers in Ashburn, Va. and Columbus, OH.</p>
<p>4. Legislative Session-Update</p>	<p>Alexandra Shulz of Bowles Rice summarized two legislative bills that passed during the 2019 Legislative Session that were related to broadband.</p> <p>Ms. Shulz detailed Senate Bill 3 which has several elements that included: addressing the assessed value of towers built between 2019 and 2024; and amendment to 31G of the WV Codes which gives the Public Service Commission jurisdiction over make-ready pole access and charges the PSC charged with adopting rates, terms and conditions of access to of and use of poles, ducts, conduits and Right of Ways for middle mile broadband infrastructure; charging the PSC and Council with assisting electricity utility companies in the preparation of feasibility studies for broadband expansion on their poles with the Council charged with reviewing the studies; language allowing wireless providers access to put small wireless units in on poles in ROWs.</p> <p>Ms. Shulz also spoke about Senate Bill 270 which amends Dig Once policy language in the WV Code. She said several elements the Council has been in favor of changing were done, including the setting of fair market value of property in broadband ROW builds at \$0; the elimination of newspaper Class II legal advertisement notice requirement; reducing Dig Once public notice period from 30 days to 15 days; and builds less than 1,000 feet are exempt.</p>
<p>5. Broadband Mapping 2019 Update</p>	<p>State GIS coordinator Tony Simental and Kelly Workman with the WV Development Office provided updates on broadband mapping indicatives.</p> <p>Mr. Simental said the survey comment portion of the Speed Test continues to be refined and updates will be shared with Council before going live. He said most of the additional information layers have been added to the state’s broadband map which will assist grant program applicants.</p> <p>Ms. Workman spoke of a broadband mapping hub to be done through an Appalachian Regional Commission grant that will serve as a useful resource for officials to understand the steps and actions needed to develop broadband in their communities. Ms. Workman said she plans to conduct a demo of the project, specifically Wayne County, at the April meeting.</p> <p>Ms. Workman spoke to the refined scope of work the Council has agreed to in a joint mapping project with the National Telecommunication and Information Administration and seven other states. She said the state Geological and Economic Survey office and Tilson Technologies is assisting with this project and the state is ready to begin its collaboration with NTIA.</p>

6. FCC 2019 Deployment Report	Chair Hinton referred to a press release from the FCC regarding the Broadband Deployment Report due in the next few months. The high points include that access to 25:3 has been reduced by more than 25 percent from 2016 to 2017. Reports shows that a lot of infrastructure and expansion is being put in place that is using scalable methods and technologies to provide bigger customers to their end customers.
7. Related Events/Program Updated:	Chair Hinton spoke of updates to the USDA ReConnect program and offered that the Council is available in any capacity to assist would-be applicants in the process.
8. Public Comments	There were no public comments.
9. Next Meeting Date	Chair Hinton requested that the next meeting be held on April 18, 2019, not April 11, 2019. Hearing no objections, Chair Hinton announced that the next meeting is set for April 18, 2019; 10:00 a.m.; Building 3, First Floor Conf. Room 124
10. Adjournment	Meeting was adjourned at 10:49 a.m.

**Action Items**

No.	Description	Assigned To	Month Identified	Target Completion Date
1.	Legal and Cooperative Toolkit and Training	Workman, O'Leary, Generation WV, WVU Law	June 2017	ARC grant funds pending; submitted for review.
2.	Broadband Hub-Initial data requests from providers	Simental, Workman	November 2018	Follow up issued 2/2019
3.	Website Updates-Speed test survey updates, links to WVDOH Dig Once list, Resource Center updates; map updates	Commerce	December 2018	January-March 2019