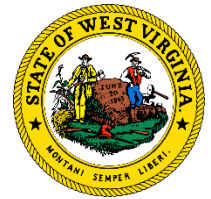


WV Broadband Enhancement Council

May 11, 2017 Council Meeting Minutes



Meeting Title	WV Broadband Enhancement Council Meeting		
Chairperson	Robert Hinton		
Date	5/11/2017	Location	WV Capitol Complex Building 6, 6 th Floor, Conf. Rm. A
Time	9:00 am		
Audio Connection	304.957.6999 Conf. ID: 9359172#		

	Council Member	Representing		Council Member	Representing
P	Robert Hinton, Chairman	Rural Business User Congressional Dist. 2	P	Woody Thrasher	Dept. of Commerce, Cabinet Secretary
P	Robert Morris, Vice Chairman	Urban Residential User	P	John Dunlap	Office of Technology, Chief Technology Officer
-	Ric Cavender	Urban Business User	-	Dr. Steven L. Paine	Dept. of Education, State Superintendent
P	Robert Cole	Rural Residential User Congressional Dist. 1	P	Matt Turner	Higher Education Policy Comm., Exec. Vice Chancellor
-	Michael Shaffer	Rural Residential User Congressional Dist. 2	-	Vacant	WV Senate (Dem. Party) (ex-officio/non-voting member)
P	R.A. "Pete" Hobbs	Rural Residential User Congressional Dist. 3	-	Vacant	WV Senate (Rep. Party) (ex-officio/non-voting member)
P	John Reasback	Rural Business User Congressional Dist. 1	-	Vacant	WV House (Dem. Party) (ex-officio/non-voting member)
P	Michael J. Holstine	Rural Business User Congressional Dist. 3	-	Vacant	WV House (Rep. Party) (ex-officio/non-voting member)
-	Brittany Carns	Business User of Large Amounts of Broadband	P	Jeff Proctor	Representing Woody Thrasher
P	Dr. Jack Smith	Representing Matt Turner	P	Brenda Morris	Representing Michael Martirano
			-	Josh Jarrell	Dept. of Commerce, Deputy Secretary/Legal Counsel

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

Agenda (Topics and Minutes)

Topic	Details/Minutes
Call to Order	Chair Hinton called the meeting to order.
Opening Remarks and Roll Call	Chair Hinton welcomed the Council and guests.
Approval of Minutes from the 04/13/2017 Council Meeting and BEC Financials	Minutes from the April 13, 2017 Council meeting and the current financial report were presented for approval. There was a motion for approval, and a second. All voted in favor and the minutes were approved.
Mapping Update – Tony Simental	

Legislative Update-House Bill 3093
Review

All Council members were provided a copy a copy of House Bill 3093. Chair Hinton reviewed portions of Chapter 31G: Broadband Expansion and Enhancement, as follows:

Article 1: Broadband Enhancement Council.

Consultants: The Council has limited funds, but does not have revenue. The Council must weight options concerning the establishment of an office or procurement of consulting services. Chair Hinton suggested that he, Member Turner and Member Dunlap review personnel and staffing needs to determine availability of agency staff, along with the Dept. of Commerce.

Item 1.A: Messaging: With the establishment of a website, the Council also needs assistance with messaging and outreach. It was suggested that the Council review services that could be provided through Commerce Communications. From this point, the need for procured services would be determined.

Item D. Referenced collection of data as discussed previously.

Pilot Projects: The Council will create guidelines and recommendations for the creation of models and methods for infrastructure development, such as public-private partnerships, co-ops and other models. This is tasked to the Infrastructure Committee. It was noted that the previous council developed a 10-gig city model. Any records in this regard should be obtained for reference.

1.11 Easement Programs: Rights of Way (ROWs) can be a barrier to expansion. The council should obtain guidance from counsel to develop guidelines for the donation of ROWs and/or the utilization of unused conduits. Consultation with the WV DOH is needed. Member Hobbs offered to research resources available through the WV Land Trust and Land Stewardship Authority. Coordination with the WV Infrastructure Council (IJDC) was also discussed. Members Hobbs, Morris, Hinton and Dunlap will review. Member Dunlap will include ROWs as an item in monthly meetings with DOH.

Grants: The BEC can apply for grants.

Protection of Proprietary Information: The Council discussed that a detailed inventory of current existing resources owned and operated by private providers would be invaluable information but concerns remain about how disclosure could potentially have negative effects for the private providers.

Rule-Making Authority: This will be handled by the Dept. of Commerce.

	<p>Article 2: Cooperative Associations: After discussion, it was determined that the WVDO counsel’s input would be necessary in going forward to create co-ops as defined in the Bill.</p> <p>Article 3: Conduit Installation; Microtrenching: It was discussed that the physical application of this Bill is not a designated responsibility of the Council, rather it a tool for broadband placement. Section C notes that “other persons using conduits ...may make use of this conduit upon application to the Broadband Enhancement Council.” Chair Hinton and Ms. Workman discussed researching how other states addressed this issue in terms of creating an application and establishing rules.</p> <p>Article 4: Make-Ready Pole Access: The Council discussed this as another topic that would need input and guidance from legal counsel and the state Attorney General Office.</p> <p>In consideration of the above:</p> <ul style="list-style-type: none"> • Member Morris requested that all committees submit activity reports in June and July. • Member Dunlap stated that he will add broadband to standing DOH meetings and will ask for a DOH representative on the Infrastructure Committee.
FCC 17-37-3741 Open Comment	Chair Hinton proposed the Council work with WVDO counsel to review comments from the BEC to the FCC on this matter as it relates to HB3093. Member Proctor second the motion and it was passed unanimously.
Website Update - John Reasbeck and John Dunlap	<p>Member Reasbeck is ready to create a website for the BEC and Member Dunlap discussed how the state Office of Technology could host the website on the state’s wv.gov domain. “Broadband.wv.gov” was discussed as the site’s name.</p> <p>Additional discussion about the website from Member Reasbeck centered around the capabilities and functions it will entail including those responsible who will eventually be responsible for the administration of it. Chair Hinton forwarded a motion to accept the recommendations for the website as discussed and Member Holstine second. Motion passed unanimously.</p>
Strategic Discussion	No discussion.
Election of Secretary-Treasurer	Two nominations for the vacant position were made and Member Holstine was voted the new Secretary-Treasurer by the board members.
Public Comments	Mr. Bradley Andrews offered his expertise with various objectives of the BEC including mapping and public outreach. Member Turner requested Mr. Andrews present the BEC a white paper so to better understand the concepts of his proposals.
Next Meeting Date and Proposed Agenda	June 8, 2017
Adjournment	10:30 a.m.

Others Present (in order of sign-in sheet)

1. Michael Hohn (via conference call), WVGES
2. Tony Simental, WVGES
3. Mark Debruyne, WVOT
4. Tony O’Leary, WVDO
5. Joyce Tuemler, WVDO
6. Kelly Workman, WVDO
7. Rob Omberg, Comcast
8. Chris Weikle, Cable Association
9. Rick Stonestreet, AARP
10. Max Garland, Gazette-Mail
11. Tom Hunter, AARP-WV
12. John Golden, DAS Advisors
13. Chris Morris, CityNet
14. Bradley Andrews, ACLC, LLC
15. Charlie Dennie, Alpha Technologies
16. Kathy Cosco, Frontier Communications
17. Marlene Hackett, The Hackett Praxis, LLC
18. Ron Pearson, Interested Citizen User

Action Items

Item No.	Description	Assigned To	Due Date
	Review of options for legal counsel, and any additional professional services.	Morris, Hinton, Dunlap	
	Review of resources for easement acquisition.	Adoption Committee, Hobbs	
	Development of guidelines for speed tests	Adoption Committee	
	Consultation with WV DOH	Dunlap	
	Website hosting and development	WVOT	
	Council requested that committee reports be submitted in June and July.	All Committees	

Notes: