



MINUTES

BEDFORD COUNTY BROADBAND AUTHORITY

BEDFORD COUNTY ADMINISTRATION BUILDING

FEBRUARY 6, 2019

5:00 P.M. Broadband Authority Meeting

- a. **Closed Session pursuant to 2.2-3711(A) (8)** (Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter; **(28)** Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records; **and (29)** Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.
- b. Consideration of a request for approval of PPEA Comprehensive Agreement for Broadband Initiative. (*Resolution #BA 020619-01*)
- c. Possible Action Item regarding Project Management for the Broadband Initiative (*no documentation*)

Adjourn the Broadband Authority Meeting

Authority: Tommy Scott, Chairman, District 5; Vice-Chairman Andy Dooley, District 6; Bill Thomasson, District 1; Edgar Tuck, District 2; Charla Bansley, District 3; John Sharp, District 4; and Kevin Willis, District 7

County Staff: Interim County Administrator/County Attorney Patrick Skelley, Chief IT Officer Jeff Marecic, IT Project Manager Gary Underwood, Economic Development Director Traci Blido, and Executive Assistant Brigitte Luckett

Guests: Attorney Mike Lockaby, Anthony Smith from Blue Ridge Towers, George Condyles and John Barrett from Mid-Atlantic

Interim County Administrator Patrick Skelley called the work session to order, and then turned the meeting over to Chairman Scott. Chairman Scott called for a motion for the Authority to enter into closed session.

Supervisor Thomasson made a motion to go into Closed Session pursuant to 2.2-3711(A) (8) (Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter; **(28)** Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records; **and (29)** Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: none

Absent: Mr. Thomasson

Motion passed.

Supervisor Tuck made a motion to go back into regular session.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: none

Absent: Mr. Thomasson

Motion passed.

WHEREAS, the Bedford County Board of Supervisors has convened a Closed Meeting, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Bedford County Board of Supervisors that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Bedford County Board of Supervisors.

<u>MEMBERS:</u>	<u>VOTE:</u>
Tommy Scott, Chairman	Yes
Andy Dooley, Vice-Chairman	Yes
Bill Thomasson	Absent
Charla Bansley	Yes
Edgar Tuck	Yes
John Sharp	Yes
Kevin Willis	Yes

Supervisor Tuck made a motion to approve Resolution #BA 020619-01.

WHEREAS, the Bedford County Broadband Authority is ready to commence the process of constructing towers for a broadband network in the County of Bedford Pursuant to the Private Education Facilities and Infrastructure Act of 2002 (PPEA); and

WHEREAS, the Authority has selected Blue Ridge Towers to facilitate the construction of the broadband network; and

WHEREAS, the Authority and Blue Ridge Towers desire to enter into a Comprehensive Agreement outlining the rights and responsibilities for said construction.

NOW, THEREFORE, BE IT RESOLVED, that the Bedford County Broadband Authority does hereby authorize the Interim County Administrator to executed the necessary documents to effectively implement the Comprehensive Agreement for the construction of a broadband network in the County of Bedford, Virginia.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: none

Absent: Mr. Thomasson

Motion passed.

Supervisor Sharp made a motion to approve Resolution #BA 010619-02.

WHEREAS, the Bedford County Broadband Authority issued a Request for Proposal on February 26, 2017 seeking an engineering consultant for the County's broadband initiative; and

WHEREAS, after a lawful selection process, the Atlantic Group and the County entered into a Contract dated September 13, 2017 to provide such consultant services; and

WHEREAS, Phase 1 of the Contract contemplated an infrastructure assessment and related work, and Phase 2 contemplated project/construction management services to facilitate the build-out of the County-wide wireless broadband system; and

WHEREAS, the Atlantic Group has finished Phase 1 of the Contract, and the parties are now prepared to move forward with Phase 2.

NOW, THEREFORE, BE IT RESOLVED, by the Broadband Authority for the County of Bedford, Virginia, that staff and the Atlantic Group are hereby authorized to proceed with project and construction management services (i.e., Phase 2) of the aforementioned Contract of September 13, 2017, in accordance with the terms, conditions, and compensation provisions set forth in such Contract.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: none

Absent: Mr. Thomasson

Motion passed.

Supervisor Sharp made a motion to adjourn at 5:55 pm.

Voting yes: Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Dooley, and Mr. Willis

Voting no: none

Absent: Mr. Thomasson

Motion passed.