

# Clarke County

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## **BROADBAND IMPLEMENTATION COMMITTEE MEETING MINUTES THURSDAY, APRIL 5, 2018**



A meeting of the Broadband Implementation Committee was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Thursday, April 5, 2018.

### **ATTENDANCE**

**Present:** Robina Bouffault, Mary Daniel, Scott Kreider, Bev McKay

**Absent:** None

**Staff Present:** Brandon Stidham, Planning Director

**Others Present:** Paul Comes (Comcast), Jeremy Gill (Comcast), Pamela Grubaugh (Comcast), James Funkhouser (Shentel), Jim Henry (citizen)

### **CALLED TO ORDER**

Mr. Stidham called the meeting to order at 2:00PM.

### **AGENDA**

The Committee approved the agenda by consensus as presented by Staff.

### **APPROVAL OF MINUTES**

The Committee approved the March 7, 2018 meeting minutes as presented.

**Yes:** Bouffault (moved), Daniel, Kreider (seconded), McKay

**No:** none

Mr. Stidham provided a brief overview of the website progress report and noted that there has been an uptick in viewers over the past month. He also stated that the news release on NexGen Broadband has been added to the website. He noted that the meeting packet also contains a copy of the housing density map that was provided to NexGen Broadband in response to their discussions at the January meeting.

### **APPEARANCES**

Mr. Stidham introduced James Funkhouser (Shentel) returning for his second visit with the Committee along with representatives from Comcast – Paul Comes, Pamela Grubaugh, and Jeremy Gill. He said that the Committee wanted to meet with representatives from Shentel and Comcast prior to conducting the roundtable meeting with wireless internet service providers (WISPs) and other industry representatives. Ms. Bouffault said that Shentel and Comcast have a significant wired

presence in the County and she does not think that the public is aware of what services these companies can provide them. She said that the constituents need to be informed of what these companies are interested in doing for them rather than waiting for services to come to them in the future. She concluded by saying that these are existing assets that are good for the County. Ms. Daniel said that the overarching question is what can the County do aside from footing the bill to make it easier for providers to serve our unserved and underserved areas.

Mr. Stidham asked the Comcast representatives if they wanted to make any opening remarks since this is their first meeting with the Committee. Mr. Gill replied that they are here to understand more of what they can do and what they can offer the County. Mr. Comes said that Comcast has attempted to expand their broadband service as they have expanded their video service to the County over time. He said that they look for a number of factors in determining where to provide service including pockets of homes and locations of railroads. He also noted that in recent years it has been more difficult for them to locate on electric cooperative poles. He said that housing density a factor along with whether they will have to install their lines underground and how much rock they will encounter. He also said that in Frederick County near Shawneeland it was cheaper for them to install lines underground and to deal with rock than it would have been to go on poles. He said that Comcast wants to serve the unserved and not just the underserved.

Mr. McKay asked Mr. Comes to confirm that it is harder to locate on cooperative poles and he replied that it can be. Ms. Bouffault asked Mr. Funkhouser whether the cooperative is making it difficult to locate on poles for Shentel and he replied yes. Mr. McKay said that maybe this is something that needs to be addressed with the State legislators. Ms. Daniel said that in speaking with Rappahannock Electric Cooperative (REC) officials, they have indicated support for broadband expansion. Mr. McKay added that he heard that REC's pole rental rates are horrendous. Mr. Comes suggested that the members ask REC officials about the process for locating on their poles including the lessee's obligations. Ms. Daniel asked if the problem is the procedure or the cost and Mr. Comes replied both. Ms. Daniel asked who oversees the cooperatives' rates. Mr. Funkhouser replied that the State Corporation Commission regulates the electric cooperatives and the Federal Communications Commission regulates the providers. Mr. Comes added that if they had an issue with the rates, they could present their concerns to the State Corporation Commission.

Ms. Bouffault said that Shentel has provided the County with a map of their fiber optic cable locations. Mr. Funkhouser added that Shentel is not a residential provider in the County and that they are serving businesses and communication towers. Ms. Bouffault asked whether Shentel would be interested in providing fiber service that would be rebroadcast wirelessly to serve a group of property owners. Mr. Funkhouser replied that they would be interested if there was a business case to justify it. Regarding Comcast, Ms. Bouffault said that County residents have been advised that it would be very expensive to connect their homes to nearby cable lines but would be interested in the service if the installation costs were lower. She suggested that Comcast may want to provide service along a road or area if several residents indicated interest in the service. Mr. McKay asked how many people per mile are needed for Comcast to provide service. Mr. Comes replied that the franchise agreement with the County for video service is 20-30 homes per mile and it would be the same for broadband service. He said that if they can get 20 customers along a 1.1 mile road segment, they look at their return on investment to determine whether to provide service. He noted that they are able to get more

customers in a new subdivision where there are no service providers than in an established subdivision where some residents are already using satellite for video service. He also said their analysis is different for broadband in established areas because the demand and existing options are different than video service. Regarding coordinating interest in a localized area, he said that Comcast prefers for a resident to do that coordination as opposed to Comcast leading that effort. Ms. Bouffault said that it was very easy to connect Comcast service to her property in the City of Winchester but asked whether Mr. Comes is saying that this is not the case for rural areas. Mr. Comes replied that the address data is often not available in rural areas which requires a site survey to determine if the property can be served. Ms. Bouffault said that Comcast may want to review the demand in areas where they have existing lines and that providing a map of these existing lines to the Committee would enable them to help locate areas where service can be provided. Mr. Kreider added that the County could publicize such a map and generate interest among potential customers. Mr. McKay asked if they had a map they could provide. Mr. Comes replied that that they may have to require the County to sign a nondisclosure agreement in order to release the map but that he would have to check on this. Ms. Bouffault said that we need to be creative work innovatively to expand broadband. She added that the County could review the map confidentially and suggest areas for Comcast to expand, noting that one area is Salem Church Road with several residents that would be willing to pay for Comcast to be extended there.

Mr. McKay asked if Comcast ever works with wireless internet service providers (WISPs) and the representatives replied no. Mr. McKay followed up by asking if it is a market that they could tap into, and Mr. Gill replied that it would be up to corporate to determine as this would be someone re-selling their service.

Mr. Stidham said that if Comcast's maps are proprietary, a compromise could be to provide a map that shows general areas depicted by bubbles where Comcast service is available or could be available. Mr. Comes replied that this could be a possibility but it would also be helpful to notify of any pockets of customers that the Committee has already identified. Mr. Funkhouser reiterated that wireline providers are only going to expand to areas where a business case can be made to do so. He said that when they reach their limits in areas they can serve, the remaining areas will have to be served by alternatives such as WISPs. He also said that Shentel in the future would be interested in any cooperative efforts with the County and private sector businesses like Comcast to reach an underserved area. Ms. Bouffault raised the issue of promoting broadband service to businesses in Waterloo and asked Mr. Funkhouser to elaborate on their services in Waterloo and along U.S. 522 in Double Tollgate. He replied that they have fiber throughout that area for businesses and are currently serving L' Auberge Provençale. Ms. Bouffault replied that she got that connection for Shentel but it was a difficult process because Shentel would not tell the business owners up front how much the connection costs would be. She added that information is more forthcoming in urban areas where there is competition for service but that they are more selective with providing information to potential customers in the rural areas. She said that if all of this information were made available including maps of Comcast service areas, it could be posted to the County's broadband website with an explanation for residents and businesses interested in the services. She asked if Comcast and Shentel would be willing to do this or to at least provide written information that could be posted to the broadband website. Mr. McKay noted that if he needs a product that is not sold in the County, he knows where he can go outside of the County to get it. But if he cannot get broadband internet, it is

often difficult to find information on whether he can get it and from whom. He provided an example of a local dairy farmer that uses robotic milking machines that requires internet access of a certain capacity to be functional and it is difficult to determine which providers if any can offer the necessary level of service. Mr. McKay also noted that while providers often say that the County does not have the residential density to support broadband options, he is aware of other more rural areas of the country that have better broadband services than the County has. Ms. Bouffault asked if there has been any sign that the Federal government will mandate broadband connectivity in the near future and Mr. Comes replied no. Ms. Bouffault said that if it does not become a Federal mandate, then localities have to be innovative in developing their own solutions.

Mr. Gill explained that if a resident or business requests service, Comcast conducts a site survey to determine how close the property is to their existing plant and how much it would cost to extend service – if it makes business sense to invest in the infrastructure, they will make the connection. Mr. Stidham asked whether it depends on how many homes can be served along the extension route and Mr. Gill replied that it is a factor to consider. Mr. Stidham distributed a GIS map of the County that Staff prepared during the meeting to show which areas of the County have a density of 25 addressable structures per square mile in response to Mr. Comes's earlier comments. This differs from the map that was discussed earlier showing a density of 15 addressable structures per square mile. Mr. Comes summarized that the County would like a map from Comcast showing their service areas and they need to start looking for pockets of potential customers using resources like the map that Mr. Stidham distributed. Mr. McKay noted that the County has a lot of home-based businesses that could use reliable broadband access and Ms. Bouffault added that there are 457 such businesses in the County. Mr. McKay asked if the County should have a discussion with REC about the issue of locating on their utility poles and Mr. Comes replied that he did not think it was necessary at this time.

Ms. Bouffault asked how we can get more of this information out to residential customers since to date the outreach has been to the business customers. Mr. Stidham replied that we can get a lot of traction through the broadband website given the levels of traffic that we have been seeing since its debut. He also noted that if Comcast is looking for customers in a certain area, the broadband website can be used to inform residents of this and advise them to contact Comcast to express their interest. Mr. Comes gave a brief overview of Comcast's internet essentials program that provides reduced cost broadband service to families with students that are low income or eligible for free lunches. Ms. Daniel said that she will provide information on this program to the Schools to make sure they are aware of it.

Mr. Stidham noted that the next step is to organize the roundtable meeting with the WISP providers. Mr. Comes asked if there are many of those serving the County and Mr. Stidham replied that there are five known WISPs and the County has met with three of them. Mr. Stidham asked if Shentel and Comcast would be interested in participating in the roundtable. Mr. Funkhouser said that Shentel works extensively with WISPs and they would participate. Mr. Gill said that he would be interested in participating on behalf of Comcast.

Mr. Funkhouser left the meeting.

Ms. Bouffault asked how long it would take for Comcast to get the Committee a map. Mr. Comes said that he needs to review the franchise agreement and discuss the nondisclosure issues with legal staff. Mr. Stidham said that he can provide any additional mapping information that Comcast may need. Mr. Gill said that he can assist with any potential business customers that are interested in service.

The Comcast representatives left the meeting.

Ms. Daniel noted that the maps that Staff produced that show densities of addressed structures in the County uses a different metric from Comcast's residences per linear mile. Mr. Stidham added that the maps produced by Staff capture all addressed structures which include residences, guest cottages, business buildings, and accessory structures with significant activity to warrant an address. He said that these are all structures that would likely require an internet connection and also stated that there are no addresses assigned to vacant properties.

Mr. Stidham asked whether the members were ready to schedule the roundtable meeting. Ms. Bouffault replied that we were considering having George Condyles serve as the moderator and she has concerns that as a consultant he could be more concerned with receiving continued work from the County than in resolving issues quickly. Mr. Stidham noted that he did not think anyone at the table is qualified to serve as a moderator for the roundtable. Mr. McKay replied that it is the Committee's job to oversee the consultant as tasks are performed and this goes without saying for consultants in general who do work for the County. He added that oversight also helps to avoid the perception that the County has developed a favorite.

Mr. Stidham said that he may have been overly optimistic with the suggested meeting dates included in the packet. He asked whether the members wanted to meet on May 3 or May 7 for a teleconference with Mr. Condyles to discuss how the roundtable meeting will go, then try to schedule a meeting in June after Memorial Day weekend. Members agreed that this is a better approach. Ms. Bouffault asked who we thought would attend the meeting. Mr. Stidham replied that we would invite the three WISPs that the Committee has previously met with – All Points Broadband, Visual Link, and Winchester Wireless – in addition to the other two WISPs that serve the County, Shentel, Comcast, and SBA Communications. Ms. Bouffault said that Comcast did not seem too enthusiastic about attending and Mr. Stidham said that we can still invite them and they can decide whether or not to attend. Mr. Kreider noted that Comcast said they did not do business with the WISPs.

Mr. Stidham asked whether May 3 or May 7 works for everyone's schedules. The members agreed to schedule the next meeting for Thursday, May 3 at 2:00PM. Mr. Stidham said that he will try to find some preliminary dates for the roundtable in June and will email them out to the members.

Mr. Henry asked how many e-commerce businesses are located in the Business Park and also asked whether the proposed fiber optic backbone project could enable the County to market itself as a location for e-commerce businesses from an economic development perspective. Mr. Stidham replied that he is not aware of any e-commerce businesses in the Business Park. Ms. Daniel said that there is already high-speed internet access available in the Park. Mr. Stidham said that he thought that many e-commerce businesses may no longer have a need for large office space infrastructure and

personnel as most work can be done in the cloud via consultants. He added that a new challenge is getting broadband to businesses such as dairy farms that now rely on it. Mr. McKay said that Patriot Trucking in the Business Park needs reliable broadband to track the location of their trucks in real time. Ms. Bouffault added that all businesses are going to need reliable broadband access in the future.

Mr. McKay said that the Committee may want to discuss the issue of pole access for broadband providers with REC, in particular with the REC representative that lives in the County. Ms. Daniel noted that the Committee may not want to do this immediately because Shentel and Comcast did not discuss their specific concerns. Mr. McKay added that the Committee may want to reach out to Jill Vogel's office to see if they are aware of issues with REC. Mr. Stidham said that since Comcast and Shentel did not articulate a specific issue to the Committee or ask the Committee to do anything on their behalf at this time, then there is nothing for the Committee to do on the issue.

Mr. Stidham said that he will follow up with Comcast regarding a service area map. He added that he has concerns with any map that Comcast may provide that is subject to a nondisclosure agreement because the Committee would not be able to use it in a public meeting. He also said that he would rather have a map that can be made publicly available than one that has to be kept confidential. Ms. Bouffault said that if we cannot get a map, we can attempt to make one ourselves with anecdotal information.

#### **OLD BUSINESS ITEMS**

None

The meeting was adjourned by consensus at 3:24PM.



Brandon Stidham, Planning Director