



**Eastern Shore of Virginia
Broadband Authority
Board Meeting Minutes**

Meeting Information: Regular Meeting of the Board; August 11, 2010

Meeting Description: Regular Meeting of Eastern Shore of Virginia Broadband Authority	
Date: August 11, 2010	Location: Accomack Airport
Time: 3:00 – 5:00 pm	Call In Phone no: NA

Participants: (✓ marks present; X marks absent; ☎ a dial-in attendee non-voting)

	Name		Name		Name
✓	Katie Nunez	✓	Mike Zodun	✓	Joe Caffrey
✓	Steve Miner	✓	Dimitri Plionis	✓	Pat Coady
✓	Cheryl Tyson	✓	Nicholas Pascaretti	✓	Melinda McPeek

Public Present: Kat Edwards, Terry Malarkey

Steve Miner called the meeting to order @ 3:09 PM

Agenda Topics/Action Items:

<p>1) Public Comment – Terry Malarkey suggested that when the ESVBA makes its announcement about the backbone network being lit clarification should be made so it is not misinterpreted to the public as service being available now. Kat Edwards requested an update and explanation of construction delays on behalf of the Town of Parksley.</p>
<p>2) Review of Minutes</p> <p>a) Board meeting minutes from July 14, 2010 were reviewed and Nunez requested the minute items from the reconvened meeting on July 27th be separate minutes. <i>Nunez motioned to approve the minutes as amended from July 14, 2010, Caffrey seconded, Zodun abstained, vote carried.</i> Special meeting minutes from August 9, 2010 were reviewed, <i>Nunez motioned to approve, seconded by Caffrey, and carried unanimously.</i></p>
<p>3) Treasurer’s Report</p> <p>a) Financial Statements –Tyson presented for review a Profit & Loss July 2010, Balance Sheet as of July 31, 2010, and a Budget vs. Actual July 2010 (see 3a.i, 3a.ii, and 3a.iii attached). Tyson explained that the budget line item for Medical Income had been shifted to Wholesale Income. Nunez suggested the Budget vs. Actual be presented year to date instead of monthly. Nunez requested a list of internal ESVBA contractors and employees. Tyson suggested budget amendments be done quarterly, Miner agreed.</p>
<p>4) Status Reports</p> <p>a) Agreements Worksheet – Pascaretti provided an update on the status of agreements (see 4a attached).</p> <p>b) Project Manager’s Status Report – Tyson presented the project management status report updating the board on overall project status and priorities (see 4b attached). <i>Plionis motioned to draft and send an explanation letter to the Town of Parksley and copy ANEC, if forward progress is not made in the upcoming week, seconded by Zodun, and carried unanimously.</i> Miner suggested Coady and Tyson attend the next meeting with the town mayors to provide an update on the broadband</p>

initiative. Coady provided an update on the meeting with Northampton County Schools.

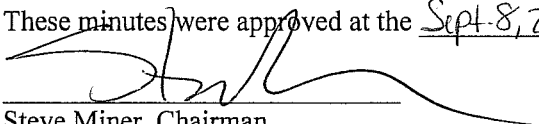
5) New Business

- a) EDA Resolutions - Deferred for further review of requirements by Nunez and Tyson.
- b) ANEC Resolution – *Nunez motioned to adopt the resolution presented to ratify and approve issuance of a note from ANEC in the principal amount of \$200,000, Caffrey seconded. The following board members were present: Nunez, Miner, Caffrey, Plionis, Zodun, and voted "yes". (see 5b **attached**).*
- c) By-Law Amendments – *Caffrey motioned to approve the amended by-laws of the Eastern Shore of Virginia Broadband Authority as presented (see 5c **attached**), Plionis seconded. The following board members were present: Nunez, Miner, Caffrey, Plionis, Zodun, and voted "yes".*
- d) Lighting Ceremony – Tyson presented an update from the Lighting Ceremony Event Committee. The committee recommended that the event proceed on October 12, 2010 and that "save the date" announcements be sent.
- e) ESVBA Two-Year Progress Report – Tyson explained that a two-year report is being produced and will be available at the Lighting Ceremony.
- f) Closed Session - Motion to enter into closed session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended; (A) Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, AND Section 2.2-3711 of the Code of Virginia of 1950, as amended; Paragraph 34: Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 19 of § 2.2-3705.6 *made by Nunez, seconded by Caffrey, and carried unanimously.*
- g) After closed session, the Chairman reconvened the meeting. *Motion was made by Nunez, seconded by Caffrey that the Board had entered the closed session for that purpose as set out in Paragraph 1 and Paragraph 34 of Section 2.2-3711 of the Code of Virginia of 1950, as amended. Roll call vote taken – Vote was that no other business discussed than as advised per Paragraph 1. The following board members were present: Miner, Caffrey, Plionis, Nunez, and voted affirmative.*
- h) Cogent Resolution – Motion to approve the resolution to authorize the Executive Director to complete procurement of Internet Protocol services under the Quilt program and hereby ratify and confirm all actions taken by the Executive Director in negotiating the agreement and executing documents on the authority's behalf. The Executive Director is further authorized to complete negotiations, execution of all documents, and take such actions as necessary to institute service, *made by Nunez, seconded by Caffrey, and carried unanimously.*
- i) Meeting was adjourned to reconvene in closed session on August 17, 2010 at 8:30 AM at the Accomack Airport.

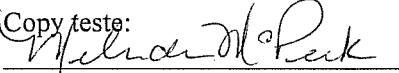
6) Next Meeting Date

The next regular board meeting is scheduled for September 8, 2010 at 3:00 PM at the Accomack Airport.

These minutes were approved at the Sept 8, 2010 meeting of the ESVBA.


Steve Miner, Chairman

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Melinda McPeek, Secretary