

MINUTES

Regular Meeting of the Board of Directors of the Eastern Shore of Virginia Broadband Authority

October 16, 2012

Board members in attendance were: Mike Zodun, John Read, and Pete Lalor.

ESVBA management participating in the meeting who were in attendance:
Nicholas Pascaretti and Leah Hoopes (Secretary)

Members of the public attending were: Robert Ritter and Ron van Geijn.

Mike Zodun called the meeting to order at 2:10 pm.

Motion

Read motioned to approve the October 16th Meeting Agenda. Seconded by Lalor. Motion passed unopposed.

Closed Session - Motion to enter into closed session according to 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 Lalor, seconded by Read. The following board members were present: Lalor, Zodun and Read and voted affirmative.

After closed session, the Chair reconvened the meeting. Motion was made by Read, seconded by Lalor, that the Board had entered the closed session for that purpose as set out in 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 in Paragraph 34. The following board members were present: Lalor, Zodun, and Read and voted affirmative.

Public Comment:

Mr. Ritter commented on the Sales Referral Agreement. He feels the Agreement should exclude the Eastern Shore, and that the decision should be postponed until all 5 BOD members were present.

Mr. Van Geijn gave an update on the Chincoteague Pilot Project.

Motion

Lalor moved to approve the September 12th Meeting Minutes. Read seconded. Motion passed unopposed.

Motion

Lalor moved to pass the Sales Referral Agreement v2.0 and receive a monthly report. Seconded by Read. Motion passed unopposed.

Motion

Read moved that the ESVBA Board of Directors authorizes the Executive Director to continue talks with the Northern Neck and Middle Peninsula Broadband Authorities and other potential parties for the construction and/or purchasing fiber routes, including associated equipment, to provide redundancy to the ESVBA's network. Also the ESVBA Board of Directors authorizes the Executive Director to negotiate draft Memorandum of Understanding(s) or other draft governing agreements which may be required. After some discussion, Lalor seconded. Motion passed unopposed.

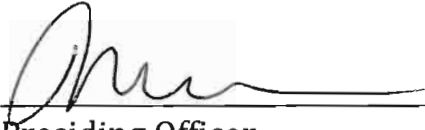
Motion

Lalor moved that the ESVBA Board of Directors authorizes the Executive Director to pursue the installation of a tower(s), and associated equipment, to allow potential service providers the infrastructure to deploy wireless services in towns which have no existing towers or other suitable structures. The town must qualify for the ESVBA's Broadband Incentive Plan and the construction costs shall not exceed \$50,000. Additionally, the ESVBA shall provide non-exclusive tower space to the Town's selected service provider at no charge for 12 months. After the 12 month period, ESVBA shall charge commercially reasonable rates. After some discussion, Read Seconded. Motion passed unopposed.

Motion

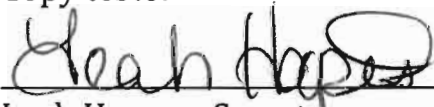
Lalor motioned to adjourn the meeting at 3:55 p.m. Read Seconded. Motion passed unopposed.

These minutes were approved at the October 16, 2012 meeting of the Board of Directors of ESVBA.



Presiding Officer

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Leah Hoopes, Secretary