

January 12, 2021

**Virginia:**

AT A REGULAR MEETING of the Nelson County Broadband Authority Board at 1:00 p.m. in the General District Courtroom located on the third floor of the Nelson County Courthouse, Lovingston Virginia.

Present: Jesse N. Rutherford, East District – Chair  
Gary W. Strong, Central District – Vice Chair  
Thomas D. Harvey – North District  
Larry D. Saunders – South District  
Thomas H. Bruguire, Jr. – West District  
Stephen A. Carter, County Administrator  
Grace Mawyer, Secretary  
Candice W. McGarry, Treasurer  
Susan Rorrer, Director of Information Systems

Absent: None

**I. Call to Order**

Mr. Rutherford called the meeting to order at 1:02 PM with five (5) Members present to establish a quorum.

**II. Public Comments**

There were no persons wishing to be recognized for public comments.

**III. Reorganization, Election of Officers, and 2021 Meeting Schedule**

Mr. Rutherford turned the chair over to Mr. Carter for conduct of the organizational meeting.

Mr. Carter referenced the authority's bylaws that prescribed an annual organizational meeting at which the Chair, Vice Chair, Secretary, and Treasurer for the year were set as well as the meeting schedule.

- A. Chair & Vice Chair
- B. Secretary & Treasurer
- C. 2021 Meeting Schedule

Mr. Carter opened the floor for nominations for Chairman of the Nelson County Broadband Authority for 2021. Mr. Strong noted that he felt it is important to stay with the same Chair and Vice Chair as last year due to the Authority authorizing payment to Firefly in the previous year. He added that it would help keep track of things better this way. The Board was agreeable to this.

Mr. Strong then moved to keep Mr. Rutherford as Chair and Mr. Strong as Vice Chair and keep Ms. Mawyer the Secretary and Ms. McGarry the Treasurer. He also proposed to keep the meeting schedule quarterly so that meetings would be the second Tuesday of January, April, July, and October at 1 pm in the

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General District Courtroom, just prior to the regular session of the Board of Supervisors. Mr. Harvey seconded the motion. There being no further discussion, Members voted unanimously (5-0) by roll call vote to approve the motion and set the meeting schedule as follows: Second Tuesday of January, April, July, and October at 1 pm in the General District Courtroom (just prior to the regular BOS meetings).

**IV. Consent Agenda**

**A. Resolution – R2021-01 Minutes for Approval**

Mr. Harvey moved to approve resolution **R2021-01** Minutes for Approval and Mr. Strong seconded the motion. There being no further discussion, Members voted unanimously (5-0) by roll call vote to approve the motion and the following resolution was adopted:

**RESOLUTION R2021-01  
NELSON COUNTY BROADBAND AUTHORITY  
APPROVAL OF MEETING MINUTES  
(December 8, 2020)**

**RESOLVED**, by the Nelson County Broadband Authority that the minutes of said Authority meeting conducted on **December 8, 2020** be and hereby are approved and authorized for entry into the official record of the Broadband Authority meetings.

**V. New/Unfinished Business**

**A. Treasurer’s Report**

Ms. McGarry reported the following:

**Broadband Operations @ 12/31/2020**

Beginning Balance 7/1/20	\$ 1,157,258.08
July -December 2020 Expenditures	\$ (40,951.46)
July-December 2021 Revenues	<u>\$ 119,080.76</u>
<b>Subtotal</b>	<b>\$ 1,235,387.38</b>
General Fund Transfer 7/1/2020	<u>\$ -</u>
<b><u>Available Bank Balance at December 31, 2020</u></b>	<b><u>\$ 1,235,387.38</u></b>

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**Accounts Receivable Aging Summary as of December 31, 2020**

Current	\$13,234.91	
1-30 days	\$10,221.56	
31-60 days	\$8,521.84	<u>\$31,978.31</u>
61-90 days	\$1,251.12	
> 90 days	<u>\$1,567.88</u>	<u>\$11,340.84</u>
Total	<u>\$34,797.31</u>	<u>\$43,319.15</u>

*Note: \$31,978.31 is Current to 60 days and \$1,567.88 is >90 days*

**Revenues & Expenditures**

On a preliminary cash basis, YTD revenues from service exceed expenditures by \$27,891. This is not including YTD Amortized Installation payments of \$49,903. Revenue from amortized installation payments will decrease to zero due to the forgiveness of this receivable by the NCBA as of December 31, 2020. Revenues from Service in December 2020 are \$3,150 and expenditures were \$27,228. Expenditures were higher than normal in December due to the issuance of a multi-year refund and the annual tower lease payment to Rockfish Valley Fire Department. The current budget does not reflect the \$1,250,000 obligated to Firefly for fiber network expansion and will need to be amended once the agreement is in place. The proposed agreement provides for funds to be drawn down as needed.

Ms. McGarry noted that the updated aging report amount total was \$15,803.91.

Mr. Bruguere asked when the drafts from CVEC/Firefly are due, and Mr. Carter noted that Mr. Payne has completed the agreement. He added that Gary Wood will first sign the agreement and then send it for signature from either himself or Mr. Rutherford.

Ms. McGarry noted that the payments will be on a drawdown basis; the Authority will be invoiced over time. She added that the budget will be adjusted once the agreement is in place.

Mr. Saunders asked about the amount over 90 days on the accounts receivable aging report. Ms. McGarry noted that Staff is unable to collect those amounts right now due to the pandemic. Mr. Carter advised that Staff will continue to bill those accounts. Ms. McGarry added that Staff cannot do liens right now, as there is a prohibition currently from the State and Federal Governments on utility subscribers.

Mr. Harvey noted that one of the customers in the accounts receivable aging summary list, Linwood Lockett, has passed away, adding that the account was never used. He suggested writing it off.

Mr. Harvey then moved to write off the top four accounts on the aging summary: 6597 Rockfish Valley Highway LLC, Linwood Lockett, Ronald Campbell, and Billy Ennis LLC. Mr. Strong noted concern about the reaction from the people who have already settled up what they owed. Mr. Rutherford asked why those

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four accounts were not included in the last round of write-offs, and Mr. Harvey noted they had changed providers and still owed that much on the County part. Mr. Strong stated that he does not have enough information to make a decision on this today.

Mr. Bruguere then seconded the motion. There being no further discussion, Members voted (4-1) by roll call vote to approve the motion with Mr. Strong voting No.

#### **B. County Administrator's Report**

Mr. Carter provided the following update:

Mr. Carter noted that the agreement with CVSI/Firefly was previously discussed. Mr. Rutherford asked Mr. Carter if he could get an update on the project timeline from Gary Wood. Mr. Carter confirmed and noted that he believed Mr. Wood had mentioned the timeline would be between fifteen and eighteen months. He noted that Firefly is doing everything it can to be as cost effective as possible, adding that they are doing the buildout in the whole service area rather than solely in the county.

Mr. Saunders requested an update on the work in Arrington and other areas as of the end of December. Mr. Carter noted that Staff will be more proactive in getting updates from Mr. Wood.

#### **IV. Other Business (As May Be Presented)**

Mr. Saunders asked when the water tank at the old middle school is scheduled to be removed, and Mr. Carter advised January 19<sup>th</sup>.

Mr. Strong asked for a copy of the signed agreement with Firefly to be sent to the Authority when it is completed.

Mr. Bruguere requested that Mr. Carter ask Mr. Wood for an update and send to the Authority when received.

#### **V. Adjournment**

At 1:29 PM, Mr. Harvey moved to adjourn and Mr. Strong seconded the motion. There being no further discussion, Members voted unanimously (5-0) by roll call vote to approve the motion and the meeting adjourned.