

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

Meeting Minutes: June 25, 2008

Meeting Description: Eastern Shore of Virginia Broadband Authority	
Date: June 25, 2008	Location: Accomack Airport
Time: 9:30 – 11:30 am	Call In Phone no: N/A

Participants: (√ marks present; ☎ a dial-in attendee)

	Name		Name		Name
√	Joe Caffrey	√	Cheryl Tyson		
√	Mike Zodun	X	Barbara Schwenk		
√	Steve Miner	√	Elaine Meil		
√	Dimitri Plionis	√	Katie Nunez		

Action Items:

Action	Responsibility	Required By
1. June 2 Board minutes to be separated from Design Nine minutes – to be approved at Board July 23	Barbara	July 23, 2008
2. Set up meeting with USDA	Katie	July 15, 2008
3. Speak to Kris LaMontagne regarding commitment	Cheryl	June 25 2008
4. Follow up on SEED money	Barbara/Elaine	July 23, 2008
5. Letter to Senator Webb/Warner	Katie/Cheryl	July 3, 2008
6. New Market Tax Credits – Follow up with Larry Malone – have him attend July Board	Cheryl	July 10, 2008
7. Prepare forms to change ESVBA – finish agreements with ANPDC	Elaine / Joe	July 23, 2008
8. Send out surveys in Northampton County	Katie	2 nd week of July
9. Set up meetings with DesignNine	Cheryl	June 30, 2008
10. Send draft MOU with MBC	Cheryl	June 30, 2008
11. Invite Pat Mitchell MDDB to July Board	Cheryl	July 10, 2008
12. Procurement of Legal Services	Barbara / Elaine	July 15, 2008
13. Engineering Procurement	Steve	July 15, 2008
14. Search Committee	Steve / Dimitri	TBD

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Motions and Resolutions:

Action	Responsibility	Required By
1. Motion to join ES Chamber of Commerce made by Caffrey, seconded by Miner and carried unanimously.	Schwenk	July billing by PDC
2. May 13, 2008 meeting minutes – minutes were approved with two corrections by a motion from Miner, seconded by Caffrey and passed unanimously.	Schwenk	July 23
3. Letter to Senator Webb's office to change recipient of \$2 million earmark from MBC to ESVBA. Motion made by Nunez, seconded by Caffrey and carried unanimously.	Tyson	July 10
4. Proposed process for developing agreements presented. Motion to accept made by Plionis, seconded by Caffrey and carried unanimously (attached to minutes)	Plionis	?
5. Draft of MOU with Mid-Atlantic accepted with revisions on motion from Nunez, seconded by Miner, and passed unanimously. Amend to define ESVBA and MBC	Plionis	July 23
6. Motion to invite Pat Mitchell of Maryland Broadband Cooperative to next meeting on July 23. Motion made by Nunez, seconded by Caffrey and passed unanimously.	Tyson	July 10
7. Motion made by Miner for Nunez to work with PDC to develop an RFQ for legal services for a 3-year contract; seconded by Caffrey and carried unanimously.	Nunez, Meil	July 23
8. Engineering procurement – Motion made by Nunez, seconded by Caffrey, and carried unanimously to develop an RFQ for services and advertise asap.	Miner	
9. Motion made by Caffrey to work with Design Nine to develop staff job descriptions, facilities, and procurement process; seconded by Nunez and carried unanimously	Plionis, Miner	July 23

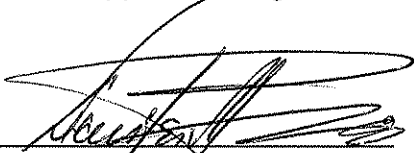
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Assignments:

Agreements	Responsibility
Baycoast Railway	Nunez, Plionis, Tyson
Baycreek Communications	open
Bay Bridge Tunnel	Plionis, Nunez, Tyson
Charter Communications	Caffrey
Cox Communications	Zodun
Maryland Broadband Cooperative	Plionis, Caffrey
NASA	Miner
Town of Cape Charles	Zodun
Town of Parksley	Zodun (subsequent to meeting)
VDOT	Nunez
VMRC	Zodun, Tyson
DHCD	Plionis
Other tasks	
Contact VACo for liability insurance information	Nunez
Add signature line to all minutes	Schwenk
Logo development	Caffrey
Names for Communications Advisory Committee that are "born here's". Ridgway Dunton was suggested. Miner will speak to him.	Miner for Dunton and All members for new names

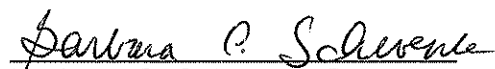
The meeting was adjourned at 11:45 am.
The next meeting will be held on July 23, 2008, from 9:30 – 11:30 am.

Minutes approved August 19, 2008.



Dimitri Plionis, Chairman

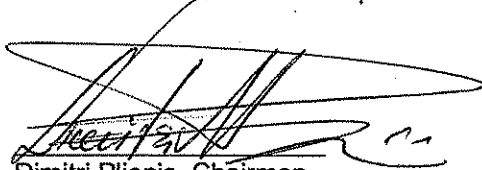
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Barbara C. Schwenk, Secretary

Proposed Process for Negotiating Agreements

The Board will need to negotiate a large number of agreements with various partners, funding sources and other entities over the next few months. To negotiate many agreements in a timely fashion a streamlined process is necessary. The following is a proposal for such a process.

The basic premise is for the Board to assign negotiating authority to a Board member in each case. The idea here is not to cede the Board's responsibility to any one member, but rather to recognize that it is not possible to negotiate a large number of agreements in a short time with all, or even several, of its members participating directly. The Board member designated would be authorized to negotiate in good faith and then bring a pre-negotiated agreement to the Board for review. The Board member authorized should have access to legal counsel as he/she sees fit. If the process works right, the Board would most likely make some changes but go along with the bulk of the draft agreement, perhaps with some instructions to the negotiating member reflecting the Board's sense on any changes (for example, what is essential vs. what is desirable). The negotiators for the parties would then get back together to hammer out a final draft which the Board would consider in an up or down vote.



Dimitri Plionis, Chairman

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Barbara C. Schwenk, Secretary