

**Grant County Digital Network Coalition**  
**March 19, 2019**  
**6:00 PM**  
**John Day Fire Hall, 316 S. Canyon Blvd, John Day**

**AGENDA**

- 1. OPEN AND NOTE ATTENDANCE**
- 2. APPROVAL OF PRIOR MEETING MINUTES**
- 3. APPEARANCE OF INTERESTED CITIZENS** – At this time the Board will welcome the public and ask if there is anything they would like to add to tonight’s agenda.

**ACTION ITEMS**

- 4. 2019 USDA COMMUNITY CONNECT & RECONNECT GRANT REVISIONS**  
Attachments:
  - KMZ files (will show during meeting)
- 5. UPDATE ON 911/ESD & CITY HALL LATERALS**  
Attachments:
  - None
- 6. UPDATE ON NEW WEBSITE**  
Attachments:
  - None
- 7. BYLAWS & ACCOUNTING PROCEDURES**  
Attachments:
  - None
- 8. BROADBAND BILLS**  
Attachments:
  - None

**OTHER BUSINESS**

- 9. OTHER BUSINESS AND UPCOMING MEETINGS**
  - Board Meeting – Tuesday, April 16 – 6 P.M. Fire Hall

**TO:** Grant County Digital Board of Directors

**FROM:** Nicholas Green, Executive Director

**DATE:** March 19, 2019

**SUBJECT:** Agenda Item #4: 2019 USDA Community Connect & ReConnect Grant Revisions Attachment(s)

- Seneca City Hall Floorplan

## **BACKGROUND**

I am proposed a modification to our proposed funded service area (PFSA) for the 2019 Community Connect Grant. In the 2018 application, our PFSA extended south from John Day to Seneca. For the 2019 application, I am proposing we build north from Burns to Seneca. The reason for the change is primarily driven by the ReConnect guidelines and evaluation criteria, as discussed below

## **DISCUSSION**

The primary challenge with ReConnect is securing enough points from pre-subscribers. During a call with Joe Bradley (USDA Telecommunications Program, Field Representative) and in consult with our professional services teams it became apparent that applying for ReConnect with a PFSA that began in Burns and built north to Seneca would incur significant backhaul costs over an area where there is little to no cost recovery. As a result, we would have to overbuild our proposed line from John Day to Seneca (as described in the 2018 Community Connect Grant) in order to reach the farms and ranches we need to connect in Grant County. Overbuilding creates complications since USDA cannot duplicate funding under two grant programs for the same infrastructure.

Mr. Bradley suggested we adjust our approach and use the Community Connect funds to build north from the east Burns regen site to Seneca, then apply to complete the line under the ReConnect program from Seneca to John Day. This would allow us to do laterals along a broader PFSA in Grant County for ReConnect in order to maximize our score.

## **COMMUNITY CONNECT GRANT OVERVIEW**

**PFSA.** The revised approach to the PFSA will be reviewed during the meeting. For Community Connect, it would consist of a 12-Fiber (12F) flat drop to each of the lateral locations with only two fibers connected/spliced to the backbone for each lateral. The overall build would be:

- 72F Backbone from the Regen Site on Hwy 20 near Burns to the CenturyLink Central Office in Seneca
- 12F Lateral from the Backbone to the Seneca City Hall
- 12F Lateral from Seneca School to Seneca Public Works
- 12F Lateral from the Backbone to Crow Flats GS
- 12F Lateral from the Backbone to Devine Ridge Cell Site
- 12F Lateral from the Backbone to Joaquin Miller CG

**Colocation facility.** We are currently proposing to use the CenturyLink CO in Seneca as our co-location facility. This would be subject to review and approval by CenturLink. We could also potentially terminate

at the high school or Seneca City Hall (or another publicly owned building). We can discuss pros/cons to each.

**Community-oriented Connectivity Plan.** The Seneca City Hall is the proposed community access facility for 2019 as it was in 2018. A copy of the building floorplan is enclosed. We will need to determine where the two terminals will be located and define public access hours of operation for the facility.

**Opinion of probable cost (OPC).** Commstructure is developing an OPC for this route. We expect it will slightly exceed the \$3M cap for federal funding, which will require additional match from state funds.

**Internet Service Providers (ISPs).** Our fiber optic ISP for this route will still be OTC, however, they will need transport to Seneca in the event the ReConnect grant is not funded. They have several options to secure transport. CenturyLink can also be an ISP on the network for commercial, residential users. I am coordinating with Steve Corbato to see if the Oregon Fiber Partnership (OFP) can act as the ISP for the community access facility, schools and CCFs. Agreements with all three parties must be signed in the next 2-3 weeks.

**Letters of Recommendation.** I have requested letters of recommendation from our elected officials. We will also need new letters for the Seneca area and from Harney County since the majority of our letters under the prior application were based on the John Day to Seneca route.

**Due Date.** Application deadline April 15.

## **RECONNECT GRANT OVERVIEW**

**PFSA.** trunk line will follow a similar course as the 2018 Community Connect application and will terminate at the Seneca co-location facility.

**Subscribers.** At least 20 farms must pre-subscribe to maximize our score. We will review the tax lots and potential subscribers for ReConnect during the meeting.

**OPC.** Commstructure is working on a revised OPC for this proposal. The cost is expected to be at or near the \$3M mark from the 2018 application but may increase due to the extent of the laterals needed to connect customers.

**ISPs.** The primary ISP for this route will be OTC, however, CenturyLink could also participate through a double-bonded copper offering. OFP could potentially provide service to the CCFs though there are fewer and would likely require less bandwidth.

**State Broadband Activity.** I have requested documentation for the state broadband activity requirements under the grant.

**Due Date.** Application deadline is May 31.

## **NEXT STEPS**

We will begin preparing our application and narrative for community connect. The board can choose to review the application prior to submission.

**TO:** Grant County Digital Board of Directors  
**FROM:** Nicholas Green, Executive Director  
**DATE:** March 19, 2019  
**SUBJECT:** Agenda Item #5: Update on 911/ESD and City Hall Laterals  
Attachment(s)

- None

## **BACKGROUND**

Below is an update on the approved laterals in John Day.

## **DISCUSSION**

The 911/ESD lateral is schedule to begin construction on March 25<sup>th</sup>. Blue Mountain Telecom is waiting on final parts shipments prior to deployment.

The RFP for the City Hall lateral closes on Friday, March 22. No bids have been submitted to-date.

## **NEXT STEPS**

Recommend a board meeting during the week of March 25-29 to review and approve the bids for the city hall lateral.

**TO:** Grant County Digital Board of Directors

**FROM:** Nicholas Green, Executive Director

**DATE:** March 19, 2019

**SUBJECT:** Agenda Item #6: Update on New Website  
Attachment(s)

- None

## **BACKGROUND**

The grantcountydigital.org website development is complete. We will be ready to go live once we have finalized our Google Analytics registration and updated our DNS settings. We also have some additional content and pictures to load. We will review background images provided by Denise Porter during our meeting.

**TO:** Grant County Digital Board of Directors

**FROM:** Nicholas Green, Executive Director

**DATE:** March 19, 2019

**SUBJECT:** Agenda Item #7: Bylaws and Accounting Procedures  
Attachment(s)

- None

## **BACKGROUND**

The purpose of bylaws is to codify operating rules and procedures for the organization. Bylaws are adopted by resolution of the board. A typical structure is provided below. Areas highlighted in yellow require board review and discussion.

## **DISCUSSION**

### **SECTION 1. NAME; OFFICE; AUTHORITY**

1.1 Name. This agency will be referred to the Grant County Digital Network Coalition (“Coalition”).

1.2 Office. Coalition’s office will be located at **the John Day City Hall** (John Day, Oregon), or such other location as Coalition may from time to time designate by resolution.

1.3 Powers and Duties. Coalition’s powers and duties are provided under ORS Chapter 190 and as authorized by the board and its parent agencies **as defined in the adopting ordinances.**

### **SECTION 2. COALITION BOARD**

2.1 General Powers. All Coalition powers will be exercised by or under the authority of, and the affairs of Coalition managed under the direction of, the Grant County Digital board (the “Board”), subject to any limitations set forth under applicable Oregon law and/or Council ordinance.

2.2 Membership. The Board will be composed of the three standing members appointed by the member agencies and

2.3 Terms of Office. Each standing member of the Board will serve until replaced by its parent agency. Ad-hoc members will serve a two-year term as appointed by the Board.

2.4 Local Contract Review Board. The Board will act as Coalition’s local contract review board when approving public contracts in accordance with Coalition’s public contracting rules. All contracts, deeds, and instruments will be approved in accordance with applicable law and Coalition’s public contracting rules.

### **SECTION 3. OFFICERS; PERSONNEL; COMMITTEES**

3.1 Officers. Coalition’s officers will consist of a chair, vice-chair, an executive director, and any other officers whom Coalition deems necessary.

3.2 Chair. **The chair will be appointed by Agency members during the first meeting of each calendar year** and will preside at all Coalition meetings. The chair will have a vote on all questions before Coalition. At each Coalition meeting, the chair will submit information and recommendations as the chair may consider proper concerning the business, affairs, and policies of Coalition. **The chair will be a co-signer on checks.**

3.3 Vice-Chair. The vice-chair will be elected by Coalition members **during the first meeting each calendar year** and will perform the duties of the chair in the absence of the chair. Whenever the chair is unable to perform the functions of the office, the vice-chair will act as chair. If both the chair and vice-chair are absent from a Coalition meeting, the members present will select one

of their number to perform the chair's functions at the meeting. In the absence of the executive director, the vice-chair will keep the official records of Coalition, attest signatures of Coalition, certify copies of Coalition documents, and perform other record-keeping duties of the executive director. **The vice-chair will be a co-signer on checks.**

3.4 Executive Director. The executive director will be the chief executive officer and administrative head of Coalition and will be responsible to Coalition for the proper administration of the affairs placed in the executive director's hands. The executive director will administer the affairs of Coalition in accordance with federal, state, and local laws. The executive director will see that all contracts of Coalition are carried out in the best interest of Coalition and in accordance with applicable law.

(a) The executive director will cause to have prepared plans, reports, and other necessary matters concerning any given service area; and will report from time to time to Coalition on the status of the Coalition's programs.

(b) **The executive director will appoint and remove committee members and employees except as these Bylaws otherwise provide and will have general supervision and control over them and their work.**

(c) The executive director will serve as the budget officer of Coalition.

(d) Board may select an individual to serve as executive director by unanimous vote of the Board.

(e) The executive director will be responsible for the fiscal administration of all funds of Agency and will act as co-signer of the checks drawn upon the checking accounts of Coalition.

3.5 Additional Duties. The officers of Coalition will perform such other duties and functions as may from time to time be required by Coalition.

3.6 Additional Personnel; Committees. Coalition may, from time to time, create such positions, employ such personnel, create committees, subcommittees, or advisory groups as it deems necessary to exercise its powers, duties, and functions as prescribed by the laws of the State of Oregon applicable thereto.

3.7 Vacancies. **Should the offices of the chair or vice-chair become vacant, the parent agencies will appoint a successor at the next regular meeting and such appointment.**

3.8. Removal. The chair or vice-chair/secretary may be recommended for removal from office at any time by a vote of a majority of the entire Board. Coalition members, including the positions of chair and vice chair/secretary, may also be recommended for removal from office after three consecutive, unexcused absences.

## SECTION 4. MEETINGS

4.1 Regular Meetings. Subject to and in accordance with Oregon Public Meetings Law, Coalition will hold a regular meeting at least once per month, at a time and at a place which it designates. A regular meeting may be continued, postponed, cancelled, or adjourned to a later date by a majority of Coalition members present and voting, and notice of such adjourned meeting will be given to all Coalition members.

4.2 Special Meetings. The chair may, when the chair deems it expedient, or upon the written request of two members of Coalition, call a special meeting of Coalition to be held at the regular meeting place, unless otherwise specified in the call, for the purpose of transacting any business designated. Notice of the special meeting will be given to all members of Coalition at the time of the call and will be given to the public in accordance with Oregon Public Meetings Law.

4.3 Open Meetings. All meetings, deliberations, and proceedings of Coalition will be public except as state law allows otherwise.

4.4 Quorum. A majority of the then appointed Board members will constitute a quorum for the purpose of conducting Coalition business and exercising its powers and for all other purposes. Except as provided otherwise in these Bylaws, a resolution of the Coalition, and/or applicable law, the express concurrence of a majority of a quorum is necessary to decide any question before Coalition. Subject to applicable law, Board members may attend a regular or special meeting through use of any means of

communicating by which all Board members participating may simultaneously hear or read each other's communications during the meeting.

4.5 Manner of Voting. Voting will be by record vote. The ayes and nays will be entered into the minutes of such meeting. Board members present and not voting and Board members absent will be entered into the minutes of such meeting.

4.6 Order of Business. At the regular meetings of Coalition, the following will be substantially the order of business:

- (a) Call to order.
- (b) Roll call.
- (c) Consent agenda and approval of minutes of previous meeting.
- (d) Citizen input.
- (e) Items from chair or Agency members.
- (f) Items from executive director.
- (g) Public hearings.
- (h) Committee reports.
- (i) New and miscellaneous business.
- (j) Adjournment.

4.7 Robert's Rules. Unless otherwise provided by applicable law or these Bylaws, all rules of order not herein provided for will be determined in accordance with Robert's Rules of Order Newly Revised.

4.8 Minutes; Resolutions. The executive director or his or her designee will keep an accurate record of all Coalition proceedings, including written minutes or recordings of all meetings. Coalition minutes are a public record available for public inspection. All Coalition resolutions will be in writing.

## 5. FINANCIAL

5.1 Coalitoin Funds; Investment; Disbursement. City of John Day's finance director will be the ex officio custodian of funds of Coalition. Coalition funds will be kept as fiduciary funds with the City and will be invested and disbursed in accordance with Oregon law. The Coalition General Fund is hereby established for deposit of all Coalition revenues until otherwise provided by Coalition. Other funds may be established as needed by resolution of Coalition.

5.2. Budget. Budget procedures will follow budget law of the State of Oregon for intergovernmental agencies.

5.3 Audit. An annual audit of the fund(s) of Coalition will be performed.

## 6. PROFESSIONAL SERVICES

Coalition will use the same [auditor, legal counsel, and consulting engineer] as City of John Day, unless not in the best interests of Coalition to do so. Subject to and in accordance with Coalition's public contracting rules, Coalition may hire other professional services, including, without limitation, bond counsel, engineering consultant, and financial analysts as may be required to fulfill the goals and objectives of Coalition.

## 7. AMENDMENT OF BYLAWS

The Board may, by resolution of the Board, adopt one or more amendments to these Bylaws by a vote of a majority of the entire Board, provided that the proposed amendment(s) has been submitted in writing to all members at least five days prior to the meeting where the amendment is to be considered and that board members have been notified of the meeting and its purpose at least ten (10) days prior to the meeting. In accordance with Oregon Public Meetings Law, Coalition must provide notice of any meeting of the Board at which an amendment is to be approved. The notice must also state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to these Bylaws

and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment.

### **NEXT STEPS**

Revisions made to the Bylaws will be submitted for legal review and will be adopted at our next regularly scheduled board meeting.

The Coalition does not currently have funds appropriated directly to the organization but could receive them in future state or federal grants. If the Coalition does not have a payroll, then there is no requirement to have a federal or state identification number. However, that documentation would be needed if the Coalition were ever to need a separate bank account.

Anna Bass with Solutions CPAs is reviewing the audit procedures and whether the Coalition's finances can be included as a component unit's of the City. This would mean that Coalition audited/reviewed figures would be included in the City's audit report.

**TO:** Grant County Digital Board of Directors

**FROM:** Nicholas Green, Executive Director

**DATE:** March 19, 2019

**SUBJECT:** Agenda Item #8: Broadband Bills  
Attachment(s)

- Oregon lawmakers eye cellphone fee to pay for rural broadband
- Merkely rural broadband press release

## **BACKGROUND**

Several legislative actions at the state and federal level could impact funding for rural broadband programs. I met with Senator Bentz last week in Salem to discuss Senate Bill 904, which is our request for \$2.9M for Grant County Digital to expand broadband in the county. We also discussed House Bill 2184, which is a revenue raising measure that would tax wireless carriers to provide a dedicated funding source for rural broadband in Oregon.

## **DISCUSSION**

Senator Bentz said they are signaling there's going to be some fiscal belt tightening in Salem this session, which isn't a bad thing, but it means they must prioritize requests toward those jurisdictions that can show a significant cost match on their proposals. SB 904 likely won't succeed unless we can show significant benefits and local cost match in excess of 50% of the total project. Unfortunately, we will not be able to show that level of cost match in time for this session and would only be able to produce it if we win on the federal grants.

HB 2184 would create a dedicated revenue source for rural broadband beginning in 2020-2021 if it passes into law. This measure was proposed by Rep. Pam Marsh and is discussed in the article enclosed. Having a secure and reliable funding source would do more for rural broadband than repeated requests for ad-hoc appropriations, which are unpredictable and difficult to secure.

Senator Merkely is also inquiring into USDA's rule making (see enclosed press release). He is asking the right questions and depending on their answers, we could see scoring criteria changes in the 2020 ReConnect program, which has been authorized at \$550M. I also worked with Senator Merkley's office to submit an appropriation request for the 2021 federal budget to secure additional program funds, though it is still early in the process and unclear if these funds will be included in USDA's budget again.

## **SUMMARY**

The increase in broadband funding attempts at both the state and federal level is encouraging. Rules that strengthen the competitive position of frontier communities are also needed to ensure we receive the same level of broadband funding as other rural communities.

**TO:** Grant County Digital Board of Directors  
**FROM:** Nicholas Green, Executive Director  
**DATE:** March 19, 2019  
**SUBJECT:** Agenda Item #9: Other Business and Upcoming Meetings  
Attachment(s)

- None

**OTHER BUSINESS**

- None

**UPCOMING MEETINGS**

- Board Meeting – TBD week of March 25-29
- Board Meeting – Tuesday, March 19 – 6 P.M. Fire Hall