

Grant County Digital Board Meeting
Tuesday, December 21, 2021
Seneca CyberMill
300 Barnes Avenue, Seneca
6:00 PM

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- 1. OPEN AND ROLL CALL**
- 2. APPROVAL OF PRIOR BOARD MINUTES**
- 3. APPEARANCE OF INTERESTED CITIZENS** – Chair Walker will welcome the public and ask if there is anything they would like to add to tonight’s agenda.

CONSENT AGENDA

- 4. CONSENT AGENDA ITEMS**

Attachments:

- None

ACTION ITEMS

- 5. EDA GRANT UPDATE**

Attachments:

- Courthouse Route
- Airport Route

- 6. BROADBAND FUNDING OPPORTUNITIES IN THE IJA**

Attachments:

- None

- 7. 2021 RECONNECT GRANT PROPOSALS**

Attachments:

- Commstructure Proposal
- CTC Technology Proposal
- Engagement Letter – Cohen Law Group

8. 2019 RECONNECT GRANT UPDATE

Attachments:

- Draft Service Agreement

OTHER BUSINESS AND UPCOMING MEETINGS

9. OTHER BUSINESS AND UPCOMING MEETINGS

Attachments:

- None

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Consent Agenda Item #4: None
Attachment(s)
• None

BACKGROUND

No items on the consent agenda.

RECOMMENDED MOTION

N/A

Consent Agenda. None.

Recommendation: None.

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Agenda Item #5: EDA Grant Update
Attachment(s)

- Request for Competitive Quotes – Grant County Courthouse
- Grant County Courthouse – Preliminary Plan Set
- Grant County Airport Route

BACKGROUND

EDA has approved the environmental and design for the grant that was provisionally awarded last spring. We are currently #6 out of 12 in the queue for legal review at the national office in Washington D.C. Upon review and approval of our grant terms and conditions, the final award package will be sent back to the regional office in Seattle for award and notice to proceed. I do not have a firm timeline but expect a notice to proceed will be received sometime in February, which will allow us to go out for bid in March and begin construction in April.

DISCUSSION

The first two segments to be built are the Grant County Courthouse and Grant County Regional Airport.

The RFQ for the courthouse build is attached. NJUNS tickets have been submitted to OTEC for the colocation on their poles and once I pay the fee OTEC will clear the poles for the work. Waiting on our engineers to provide the fee schedule.

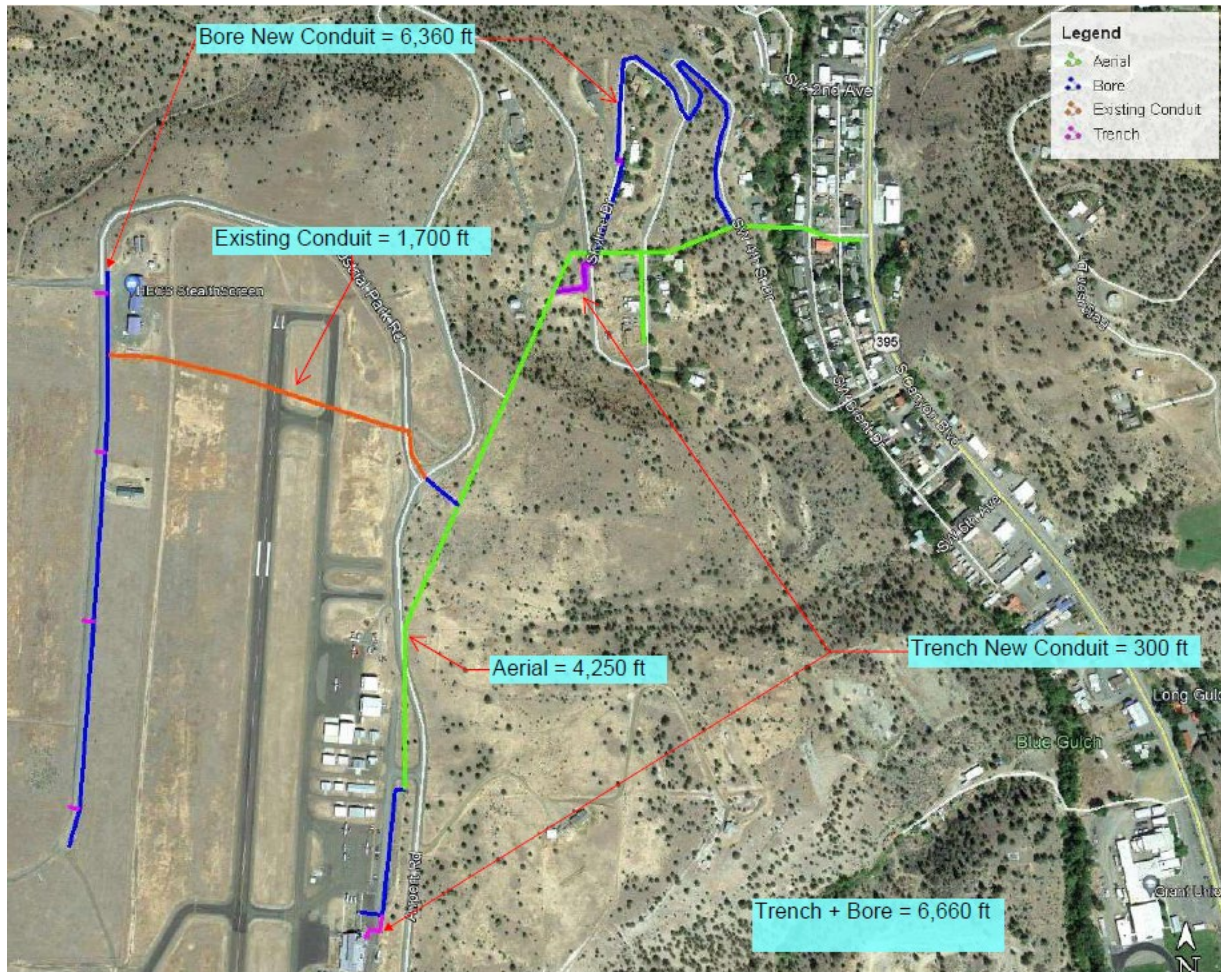
There will also need to be permits applied for with ODOT, per the preliminary plan set, which Commstructure will need to finalize (they can do that after award).

This plan set begins at ESD and ends at the courthouse. It is a 48 fiber cable.

The opinion of probable construction cost for this segment is \$67,154.20, plus design and permitting costs (est. \$90,000 total cost).

The airport route consists of the following segments (see Figure 1):

- 4,250 feet of aerial (in green)
- 300 feet of trenching (in pink)
- 6,360 feet of boring (in blue)
- 1,700 feet of existing conduit (in orange)



The opinion of probable construction cost is \$397,240 for this segment, plus design and permitting costs (est. \$450,000 total cost).

The construction plan set for this route has been developed and will be updated based on the final permitting by OTEC, which will be completed upon notice of award and notice to proceed by the EDA.

SUMMARY

The total fiber buildout funded under the EDA grant is shown in Figure 7.1 from the PER (below).

Summarized Engineer's Cost Estimate

Task #1 Fiber-to-the-Home / Community Broadband Project

11/4/2020 Revised 1-5-2021

Description of Improvements: Expand the development of an open-access network to support connectivity to various community and public agency facilities in the region. The network expansion will also support greater resiliency and redundancy of critical government and first responder communications in the event of natural disasters and emergency situations. The proposed network expansion will also allow for efficient information distribution to the general public for potential emergency events (see Commstructure Feasibility & OPC Report for additional detail).

Segments of Task #1	UNIT PRICE
Grant County Regional Airport - FCDNC & OTC	\$397,240.00
Grant County Circuit Court and Sheriff	\$67,154.20
Innovation Gateway	\$237,857.80
City of John Day Aquatic Center/Sports Complex	\$42,934.60
Blue Mountain Hospital	\$66,734.60
Oregon Telephone Company - Existing Valley View Phase I	\$441,705.00
Oregon Telephone Company - City of John Day	\$106,230.00
Oregon Telephone Company - Gateway Industrial Park	\$48,410.00
Sub Total	\$1,408,266.20
Construction Contingency (10%)	\$140,826.62
Engineering, Bid Assistance, & Construction Oversight	\$193,000.00
Topography Survey, ROW Survey, Construction Staking (Included in Engineering)	\$0.00
Prevailing Wage (Included in Construction Costs for Labor Items Only)	\$0.00
Project Estimate Total	\$1,742,092.82
Grant Administration Fee (1%)	\$17,420.93

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Agenda Item #6: Broadband Funding Opportunities in the IIJA
Attachment(s)

- None

BACKGROUND

The Infrastructure Investment and Jobs Act (IIJA) contains several new broadband funding opportunities that total more than \$50 billion in federal investment in broadband infrastructure. These programs are summarized by funding agency in this memo.

DEPARTMENT OF AGRICULTURE

Formula-Based Funding:

(None)

Competitive Grant Funding:

- **ReConnect Program (\$1.291B):** The ReConnect Program offers loans, grants, and loan/grant combinations to help construct or improve facilities required to provide broadband access to rural areas. The program can also fund the acquisition or upgrade of an existing system not currently providing sufficient broadband access. o Click [HERE](#) for more information on the program and how to apply for funding.
 - o Eligible applicants: Corporations, cooperatives, public entities, U.S. territories, and federally recognized Indian tribes.
 - o Service area requirements: Rural areas where at least 50% of households do not have sufficient broadband access (broadband at speeds of at least 25/3 Mbps).
 - o Key provisions in the IIJA bill:
 1. *Set Aside for High-Need Rural Areas:* IIJA requires that 10% of the funding (i.e., \$192.6 million) be set aside for service areas where at least 90% of households do not have sufficient broadband access (broadband at speeds of at least 25/3 Mbps).
 2. *Broadband Buildout Speed:* IIJA requires projects to provide broadband service to premises within the proposed service area at minimum speeds of 100/20 Mbps.
 3. *Rural in Character Exception:* IIJA allows USDA to allocate up to \$50 million to projects in areas that do not meet the rural area definition but are determined to be *rural in character*. The existing rural in character designation (7 U.S.C. §1991(a)(13)) allows the Secretary of Agriculture to consider communities that do not meet the definition of a *rural area* to be eligible for certain funding if they have qualities that

are rural in character. Rural areas are defined as areas with 20,000 or fewer inhabitants, and not adjacent to a city that has a population of greater than 50,000 inhabitants (7 U.S.C. §950bb(b)(3)).

4. *Match Waived for Certain Communities*: IIJA waives the matching funds requirement for grant applicants that are Alaska Native Corporations or federally recognized Indian tribes on underserved trust lands. The matching funds requirement is also waived for grant projects that serve colonias or persistent poverty counties (i.e., counties that have had a poverty rate of 20% or higher over the past 30 years).

- Distributing funds: Funds are to remain available until expended.

• **Rural Broadband Program (\$74M)**: Rural Broadband Program offers loans to help construct, improve, or acquire facilities and equipment needed to provide broadband access to rural areas. Congress has also authorized the Rural Broadband Program to issue grants and loan guarantees (in recent years, Congress has appropriated funding only for direct loans).

- Eligible applicants: Corporations, cooperatives, public entities, U.S. territories, and federally recognized Indian tribes.
- Proposed service area requirements: Areas where 50% of households lack access to broadband service at speeds of 25/3 Mbps.
- Distributing funds: Funds are to remain available until expended.

DEPARTMENT OF COMMERCE

Formula-Based Funding:

• **Broadband Equity, Access, and Deployment Program (\$42.45B)** – This will fund the infrastructure buildouts needed to connect every American to reliable, high-speed, affordable broadband.

- Allotments: NTIA will first allocate to each state a “minimum initial amount” of \$100 million for broadband expansion and/or affordability. (Note: four of the territories defined as states will instead each receive a minimum initial amount of \$25 million). NTIA will also allocate 10% of the total appropriated amount (\$4.245B) to each state, based on that state’s share of number of locations in high-cost areas of the country that are unserved by high-speed broadband. NTIA will allocate the remaining funds (\$32.905B) to states based on their share of unserved locations in the country.
- Funding breakdown: Each participating state must apply to NTIA for the funds allocated to it. After receiving the funds from NTIA, the state may competitively award sub-grants to carry out the broadband deployment activities. States will be required to work with broadband providers to ensure that each broadband provider that receives funding offers at least one affordable service plan. NTIA will work closely with the FCC to determine exactly where the unserved locations are, and with states to fund projects that will help us reach universal broadband access.

- **Tribal Broadband Connectivity Program (\$2B)** – The Commerce Department’s current Tribal Broadband Connectivity Program (\$980M) has received over \$5 billion dollars in funding requests for broadband deployment and affordability projects, demonstrating the significant need for funding to expand access to and adoption of broadband service on Tribal lands. Although other broadband funds provided by the Infrastructure Investment and Jobs Act can be used on tribal lands, by providing tribal governments with access to an additional \$2 billion in dedicated broadband funds, the Act gives tribes the opportunity to determine how best to meet the broadband needs of their own communities.

- **State Digital Equity Capacity Formula Grant Program (\$1.5B)** – This two-phase formula-based grant program will accelerate the adoption of broadband through digital literacy training, workforce development, device access programs, and other digital inclusion measures.

- Allotments:

- Phase I: For Phase I, the law appropriates \$60 million for planning grant awards. The funds are to be used by states to develop their State Digital Equity Plans.
- Phase II: For Phase II, the law authorizes Congress to appropriate \$240 million for FY2022 and \$300 million per year for FY2023 through FY2026. At least 5% of funds are to be made available for grants to Indian tribes, Alaska Native entities, and Native Hawaiian organizations; and at least 1% is to be made available for grants to territories. The law appropriates the authorized \$240 million for FY2022.

- Administering entity: An entity selected by the governor (or equivalent official) to apply for funding under this program that would be responsible for receiving and administering capacity grants; overseeing the State Digital Equity Plan; and making subgrants to eligible entities. Schools may not be an administering entity.

- Eligible applicants: A state, Indian tribe, Alaska Native entity, or a Native Hawaiian organization; a not-for-profit entity providing services in the state; a community anchor institution; a local educational agency; an entity that conducts a workforce development program; a state agency responsible for administering or supervising adult education and literacy activities; a public or multi-family housing authority; or a partnership between any of these entities. Additionally, other entities (other than schools) may be permitted to join a partnership of eligible entities if the Assistant Secretary determines such action to be in the public interest.

Competitive Grant Funding:

- **Digital Equity Competitive Grant Program (\$1.25B)** – This competitive grant program will accelerate the adoption of broadband through digital literacy training, workforce development, devices access programs, and other digital inclusion measures. The law authorizes \$250 million to be appropriated for each of the first five fiscal years in which funds are made available (the program may extended). From these amounts, the NTIA may not use more than 5% to administer the program; at least 5% is to be set aside for grants to Indian tribes, Alaska Native

entities, and Native Hawaiian organizations; and at least 1% is to be set aside for grants to territories. The law appropriates the authorized \$250 million for FY2022.

- Eligible applicants: Political subdivision, agency, or instrumentality of a state, including an agency of a state that is responsible for administering or supervising adult education and literacy activities, or for providing public housing; an Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization; a foundation, corporation, institution, or association that is a not-for-profit entity and not a school; a community anchor institution; a local educational agency; an entity that carries out a workforce development program; and partnership between any of the above entities. Additionally, other entities (other than schools) may be permitted to join a partnership of eligible entities if the Assistant Secretary determines such action to be in the public interest.

• **Middle Mile Grant Program (\$1B)** – NTIA will make grants through this five-year funding (FY2022 – 2026) on a technology-neutral, competitive basis to eligible entities for the construction, improvement, or acquisition of middle mile infrastructure.

- Eligible applicants: A State, political subdivision of a State, Tribal government, technology company, electric utility, utility cooperative, public utility district, telecommunications company, telecommunications cooperative, nonprofit foundation, nonprofit corporation, nonprofit institution, nonprofit association, regional planning council, Native entity, or economic development authority; or a partnership of any two or more of these.
- Priority:
 - NTIA will give priority to applications that satisfy two or more of the following conditions:
 - Adoption of fiscally sustainable middle mile strategies
 - Commitment to offering nondiscriminatory connection to terrestrial and wireless last mile broadband providers
 - Identification of business partners of terrestrial and wireless last mile providers
 - Identification of supplemental investments or in-kind support
 - Demonstration of benefits to national security interests
- Requirements:
 - Having financial, technical, and operational capabilities to carry out the project, operate the resulting middle mile broadband network, and support retail broadband service
 - Prioritizing connection of its middle mile infrastructure to last mile broadband networks in unserved areas or noncontiguous trust lands
 - Prioritizing the offering of wholesale broadband service on a carrier-neutral basis
 - Completing the grant project within five years
 - Sharing the locations of its middle mile infrastructure with the NTIA, the FCC, and local governments

- **Rural Broadband Program (\$74M):** Rural Broadband Program offers loans to help construct, improve, or acquire facilities and equipment needed to provide broadband access to rural areas. Congress has also authorized the Rural Broadband Program to issue grants and loan guarantees (in recent years, Congress has appropriated funding only for direct loans).

- Eligible applicants: Corporations, cooperatives, public entities, U.S. territories, and federally recognized Indian tribes.
- Proposed service area requirements: Areas where 50% of households lack access to broadband service at speeds of 25/3 Mbps.
- Distributing funds: Funds are to remain available until expended.

FEDERAL COMMUNICATIONS COMMISSION

Competitive Grant Funding:

- **Affordable Connectivity Fund (\$14.2B):** This new long-term program will replace the Emergency Broadband Benefit Program, which was a temporary program created in response to the COVID-19 pandemic and funded by an appropriation of \$3.2 billion. The law appropriates an additional \$14.2 billion for the ACP, to remain available until expended. Households enrolled in the Emergency Broadband Benefit Program as of December 31, 2021, will continue to receive their current monthly benefit until March 1, 2022.

The new ACF is intended to continue the funding provided through the EBB and ensure that people can continue to afford the connections needed for work, school, and health care, among other goals. The FCC has opened a proceeding to develop the rules governing the program: Comments will be due December 8, 2021, and reply comments will be due December 28, 2021.

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Agenda Item #7: 2021 Reconnect Grant Proposals
Attachment(s)

- Commstructure Proposal
- CTC Technology Proposal
- Engagement Letter – Cohen Law Group

BACKGROUND

The 2021 Reconnect Grant provides opportunities to create new middle mile broadband with local service connectivity.

For Tribal Governments and Socially Vulnerable Communities, up to \$350M is available. Potential awardees must meet a 100 Mbps symmetrical minimum service requirement in all proposed service areas. The maximum award amount is \$35M, and no match is required. The applications are evaluated in a competitive process.

I am recommending we apply for a project to complete the build from Seneca to Burns, and continue that build from Burns to Lakeview, as discussed below.

DISCUSSION

Attached are the cost proposals from our broadband consultants (CTC and Commstructure) for the 2021 USDA ReConnect application.

Total application cost will be about \$52,000 for the two consultants. There will be some additional fees for travel and legal review, so plan on about \$60,000 all in.

I'm proposing we split the application fees based on route miles. It works out to 25% for Grant County Digital (Seneca to Burns); 36% for Harney County (Burns to Lake Co. line); and 39% for Lake County (Co. line to Lakeview), as shown in the table below.

	Route Miles	Project %	Commstructure	CTC	Total
Grant County	47.5	25%	\$ 9,094.01	\$ 3,720.63	\$ 12,814.64
Harney County	68.7	36%	\$ 13,152.81	\$ 5,381.20	\$ 18,534.01
Lake County	75.3	39%	\$ 14,416.40	\$ 5,898.17	\$ 20,314.57
	191.5	100%	\$ 36,663.22	\$ 15,000.00	\$ 51,663.22

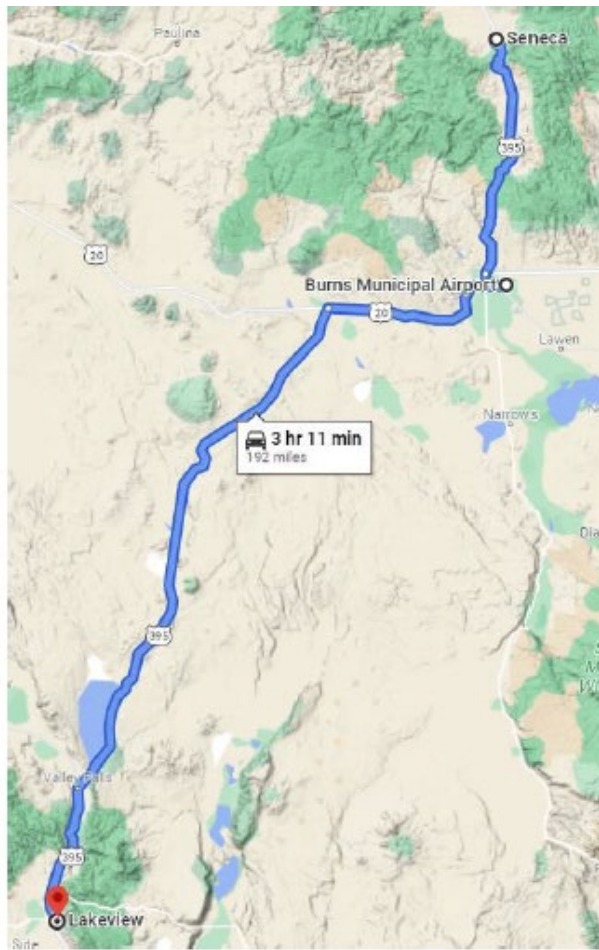
During the grant preparation and feasibility study, if we identify the need for additional fiber optic line extensions (i.e. local distribution within each city or connections to other communities within each county), we would tally those miles and add them to the percentage of the overall cost for the county where the fiber is being proposed.

Grant County Digital will be the applicant for the grant – we'll handle the contracts with the vendors and you'll receive an invoice from the City of John Day (Grant County Digital's lead agency) at the

conclusion of the project once the grant is submitted. I will not charge for my time – we'll just pass on the costs from the contractors.

We also have Cohen Law Group, which specializes in publicly owned broadband that we've engaged to assist with developing the MOU's with the private partners we plan to work with and we may have some additional environmental costs depending on what the feasibility team uncovers.

A conceptual route map (included in the OPC) is shown below.



RECOMMENDATION

I recommend we pursue funding through USDA in the 100% grant category. Even if the project is not awarded, the design and engineering will make us more competitive for the other middle mile funding opportunities available in the IIJA.

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Agenda Item #8: 2019 ReConnect Grant Update
Attachment(s)

- None

BACKGROUND

I will provide a status update on the 2019 ReConnect service agreement during this agenda item. The grant has been fully awarded to OTC and they received a notice of release of funds on October 5. They have until October 5, 2026 to complete the project.

TO: Grant County Digital Network Coalition

FROM: Nicholas Green, Executive Director

DATE: December 21, 2021

SUBJECT: Agenda Item #9: Other Business and Upcoming Meetings
Attachment(s)

- None

OTHER BUSINESS

- We will need to discuss expanding Grant County Digital to work with Harney and Lake Counties (and potentially Baker County) as a regional service provider if these grants are awarded.
- We should also begin discussing staffing for Grant County Digital in the event these grants are awarded. I have been able to do a passable job thus far, but it will be difficult to maintain this dual-role with multiple projects in multiple regions. We may need to invoke our cost sharing formula to hire additional staff.

UPCOMING MEETINGS

We will need to meet in February to review the grant submission and finalize the service agreement for the 2019 ReConnect grant.