BERRIEN COUNTY BROADBAND INTERNET TASK FORCE
↝ BCBIT ↜

March 3, 2022
12:30 PM via Zoom+
Berrien County Administration Center, Otto Grau Conference Room
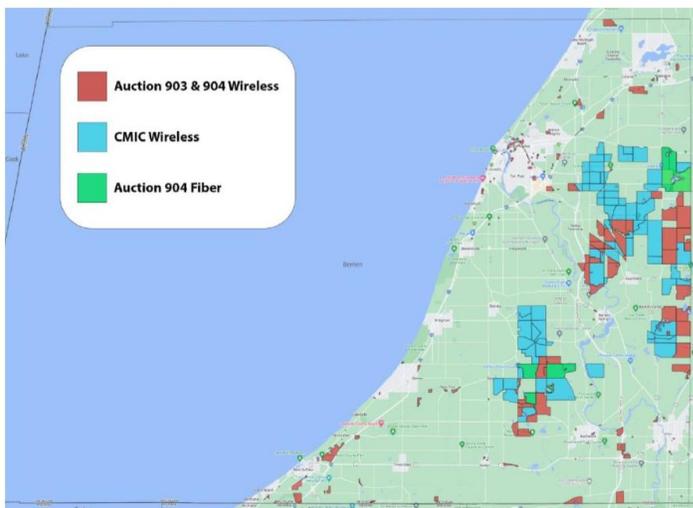**MEETING NOTES**

Attendees: Berrien County Commissioner **Teri Freehling**; Berrien County Commissioner **Jim Curran**; Berrien County Commissioner **Ezra Scott**; Berrien County Administrator **Brain Dissette**; Michigan State Senator Kim LaSata District Director **Daniel Carrick.**

Zoom Attendees: Berrien County Community Development Director **Dan Fette**; Berrien County Corporate Counsel **Thaddeus Hackworth**; Oronoko Township Supervisor **Mike Hildebrand**; Lincoln Charter Township Supervisor **Dick Stauffer**; Buchanan Township Supervisor **Malinda Cole-Crocker**; Lincoln Charter Township Assessor **John Bauman**; Michigan Senator Kim LaSata Legislative Director **Katie Lindt-Witkowski**; Mercury Wireless Chief of Staff **Mathew Sams.**
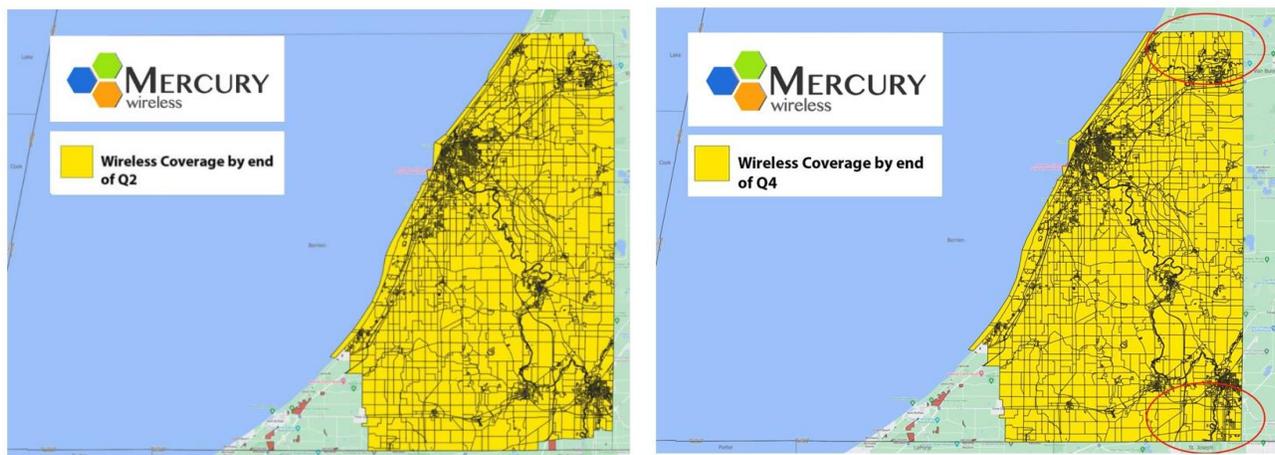
I. **Mercury Broadband Discussion.** This agenda item was moved up to the beginning of the meeting. Matthew Sam, Chief of Staff for Mercury Broadband headquarted in Kansas City Missouri presented to the group his company's active and planned broadband grant projects underway in Berrien County. Currently, Mercury Broadband has three (3) broadband grant projects in Berrien County. Funding for these projects are from the **Connect America Fund Phase II** (CAF II)(Auction 903), the **Rural Digital Opportunity Fund** (RDOF)(Auction-904), and **Connecting Michigan Communities Grant Program** (CMIC). For this meeting, Mercury Broadband presented a slide deck to outlining these projects. Mercury Broadband reviewed with the group the status of each project, including the wireless coverage to be completed in Berrien County by the end of Q4. This project will construct twenty-one (21) fixed wireless sites throughout Berrien County (including Lincoln

March 3, 2022: Mercury Broadband Active & Planned Grant Projects in Berrien County, MI

Township). Though, for these grant programs, when launched, defined high-speed internet as 25 Mbps download and 3 Mbps upload, Mercury Broadband will provide 100/20 service, with fiber providing up to 1,000 Mbps. All data packages offered by Mercury Broadband are unlimited. In addition to this, Mercury's voice services offers unlimited local and long-distance calling inside the United States. Information for Berrien County residents in the form of marketing postcards, flyers, and news releases will be sent out by Mercury Broadband

sometime in April. Wireless System should be up and running, and avaliable for subscribers by the end of Q2. There is no additional fee to route to the house, as this is wireless. There is a one time fee of $99 for equipment installation at the home. Data is unlimited. Subscribers will be able to view data usage and speeds via an app. App allows Mercury Broadband to monitor bandwidth use and traffic patterns on their networks including network upgrades. Upon reviewing the wireless map coverage of Mercury Broadband in Berrien County, it became more evident of the areas that will <u>not</u> be covered by this wireless deployment project, the New Buffalo area. Commissioner Scott requested a timeline of coverage. Mercury Broadband will be covering the New Buffalo area with the next grant they have received. The timeline for this grant is not finalized yet, however, we can expect to see a timeline by Q2 or Q3. Deployment of wireless to the New Buffalo area can be expected 2023.

About Mercury Broadband. Mercury Broadband is a leading provider of high-speed Internet and digital phone services for homes and businesses across select rural markets in the Midwest. The company was founded in Topeka, Kansas, after recognizing a need for broadband services in these underserved markets. A hybrid approach to serving these "last mile" customers was developed by extending high-capacity fiber optic networks with the range, reliability, and flexibility of carrier-class wireless technologies to provide next generation services to customers. To learn more about Mercury Broadband services, please visit us at www.mercurybroadband.com.

II.   **Proposed Legislation.**   Legislative Director, Katie Lindt-Witkowski, and District Director Daniel Carrick from State Senator Kim LaSata's Office, presented to the group draft legislation introduced as Michigan Senate Bill 885 (2022-SIB-0885). This bill is an appropriation of supplemental funding within the proposed budget for the Michigan Department of Agriculture & Rural Development to provide funding and expenditure of these appropriations, once meeting certain conditions, for broadband infrastructure in rural and agriculture communities through a Rural Broadband Completion Grant. Funds appropriated for Rural Broadband Completion Grants are to be used to create a grant program to support completion funding from communities receiving federal broadband grants that did not received enough funding to complete a full-scale installation and are not able to provide the remaining project costs. Municipalities receiving grant funding for projects under this bill are required to work with the Michigan Infrastructure Council to coordinate project

planning, purchases, and completion. $100,000,000 (nope, not a typo, that's one-hundred-million dollars) is the identified appropriation for the Rural Development Broadband Completion Grant. Grants are for local units of government, specifically counties, subject to terms and conditions set forth by the Department of Technology, Management Budget. SB 885 was introduced in the State Senate on February 23, 2022, and has since been referred to the Committee on Appropriations (translation, it is moving). The proposed legislation outlining the Rural Broadband Completion Grant is referred to as the County Broadband Completion Grant Program in the draft legislation presented to the group for discussion. This draft defines a "broadband expansion plan" to mean a countywide broadband plan to expand broadband to every household within a county or group of counties and provide sufficient access to broadband at speeds not less than 100 megabits per second downstream and not less than 20 megabits per second upstream. Commissioner Freehling stated that ARPA[1] funding sets the required level of investment in broadband infrastructure is set at a minimum buildout of 100 Mbps symmetrical upload and download (only exception for a speed lower than 100/100 is an extreme circumstance involving geography, or an unexplainable excessive cost). A grant award from this program cannot exceed 80% of the total cost of the broadband expansion plan. The grant applicant will be expected to provide not less than 20% of the total cost to complete the broadband expansion project by using their own money or any money received from local municipalities to cover the county's or group of counties portion of the broadband expansion plan. The completion period within the draft of 5-years seems reasonable, as compared to other broadband funding program cycles. To receive a grant under this program a county, or group counties, will apply for and be able to articulate through their broadband expansion plan areas within their county or counties identified where broadband is needed, and the solution to complete the broadband expansion plan. Administrator Dissette commended Senator LaSata's office for taking the message that broadband is needed to the unserved and underserved, crafting it into legislation, and listening to what is needed in our communities related to high-speed internet access.

III.   **Broadband Project on Full Boil, Simmer, or Just Warming up.** As a standing agenda item, a review of broadband projects and their status in comparison to the progressive levels of heating up water to a boil on top a stove burner are noted, discussed, and reviewed at this meeting. Oronoko Township has submitted their ARPA Broadband Application. The total project cost of Oronoko Township's Broadband Project is $1.4 million dollars. Oronoko Township is requesting $700,000 in County ARPA funds to match the township's $700,000 in ARPA funds they plan to commit to this project. As discussed in our last meeting, Bainbridge Township is ready to submit their application, and will do so in the next week. Expect an application from Baroda Township, with the assistance of SWMPC GEO Database Software utilized for a cost estimate, which seems to be running about $50,000 per linear mile (to install fiber). At the high-end, allowing room to not go over budget, planning for $100,000 per linear mile would account for all the unknowns not encountered yet. Regardless of what number to begin with as a starting point to estimate, keep in mind fiber optic deployments and the cost depend on a wide range of factors. These factors include overall project management, access to the public right-of-way, the quality and quantity of labor, coordination

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[1] American Rescue Plan Act of 2021, a $1.9 trillion coronavirus rescue package designed to facilitate recovery from the devastating economic and health effects of the COVID-19 pandemic.

between the builder and the entities being connected, supply of materials, and the integration of the physical and electronic portions completed in a way that best suits those to be connected and served with high-speed internet. And finally, connecting to, and building off of existing infrastructure and pathways already in place will factor into the per mile price. Ideally, any needs for physical redundancy will be included in the initial project design cost and constructed as part of a ring, or anchor sites, if possible. If redundancy is constructed after the fact, it will require customization of the pathway, and will double (or more) construction costs.

IV. **County's ARPA Project Funding Submission Process.** Berrien County's American Rescue Act (ARPA) Broadband Proposals Application, approved by the Board of Commissioners (BOC) on January 27, 2022, Resolution B2202292, for municipalities to apply for ARPA Broadband funds is available on the Berrien County Website. This four-page application begins by describing the funding opportunity (ARPA) and the project scope of this grant (sub-grant county ARPA funds, through an application process, supporting broadband build out to the unserved and underserved areas, by municipality, in the county). The remainder of the application describes in full the requirements, process, and information needed to complete the application and submit for review. The application is included in this document as an endnote and resource. Administrator Dissette has asked Ben Fineman, Merit Network Moonshot Consultant to review the applications that we receive as a "3rd party disinterested tech expert". Ben will be able to provide these review services at an hourly rate of $200, or on a retainer basis for 10 hours a month at $1500/month. Either case, Ben has agreed to establish a monthly or total cost not-to-exceed. If there were to be any additional cost, such as on-site meeting, travel, or the like, he would get pre-approval. Ben suggested this as an add-on to the existing Merit contract with the County. With that said, Commissioner Freehling requested a review of the Merit contract, as there may be some deliverables yet to be met. A Merit contract review is not meant to slow down or stop having Ben on-board as a tech expert, it is more of a review to make sure BCBIT is still on track with Merit's proposed recommendations and next step following the final report from the Broadband Data Collection Executive Findings Report. Bottom-line, Ben Fineman will be able to provide a 3rd party technical and objective review of the feasibility buildability, and achievability of ARPA Broadband Grants Applications submitted for review and funding. Commissioner Curran asked about finalizing a clear path for review of application and the process to award money needs to be as efficient as possible. With this in mind, the group agreed a rolling timeline to submit the broadband applications versus a hard deadline will accommodate the projects rolling in that are shovel ready. Administrator Dissette stated with this review process, and the implementation of a rolling timeline, to support the projects coming in, the first projects going out with award announcement and sub-grant agreement in place should presumably could occur the month of April.

   a. **Information Sharing.** Chamber of Commerce presentation on March 4th. ARPA Broadband Application Review Workshop scheduled for March 17th at 12:30 PM and (added date) March 31st at 9:00 AM [BCBIT Workshop Poster Updated].

      i. **March 4th – Primer for March 17th.** BCBIT is presenting to the Chamber of Commerce's CEO Meeting on Friday, March 4th and abridged version of ARPA workshop slides. ARPA funding slides, the county's supporting broadband sub-

grantee resolution, sub-grantee application, and overview of the process to these grant funds have been added to the slide deck. Commissioner Freehling and Administrator Dissette will present at this meeting, along with Community Development Director Dan Fette. Interested applicants, specifically a local unit of government's supervisor, will be encourage to attend a Berrien County ARPA Broadband Grant Application Workshop. There will be two workshops on the following dates and times:

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The Berrien County ARPA Broadband Grant Application Workshop
March 17th 12:30 PM and March 31st 9:00 AM.

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ii. **March 17th ARPA Application Review.** As indicated above**,** in addition to the March 17th workshop, BCBIT will host a second workshop, for those unable to attend the first workshop. **The second workshop will be March 31st at 9:00 AM.** Flyer has been updated and sent to committee members for proofing and review.

1. **ISP Provider Spreadsheet – Adjustments?**   Commissioner Freehling presented a spreadsheet with a list of ISP[2] providers in Berrien County and their contact information. Please review and suggest for any updates. This should be considered a living document, meaning, it can, and should be updated in the same document, or type of document to ensure a continuation of accurate information supporting broadband deployment resources available to local units of government. In a complicated landscape of service providers, a list of broadband provides that already provide service in the county, or are prominent in a certain area of the county will make it the work we have to get done easier. If we know the ISPs with roots in our county, project appeal for broadband deployment and collaboration supports project builds by using the service providers we already have working in our area. Additionally, without being said, there are service providers within this ISP list that are more willing to work through specific tactics and project barriers to complete a project more readily compared to other providers. A good ISP provider will also know who to work with when crossing over another ISP's territory. A show of willingness to work with us to improve broadband accessibility to the unserved and underserved is the fundamental focus of the internet task force.

V. **County Municipal Fiber.** Administrator Dissette discussed a dedicated fiber line connecting all county buildings. These discussions are being held with Merit Network, who has fiber infrastructure in key locations throughout the county installed with funding from the American Recovery and Reinvestment Act (ARRA)[3]. Merit Network received funding from ARRA to install a fiber optic network across the state of Michigan to support government and schools.   As it relates to Berrien
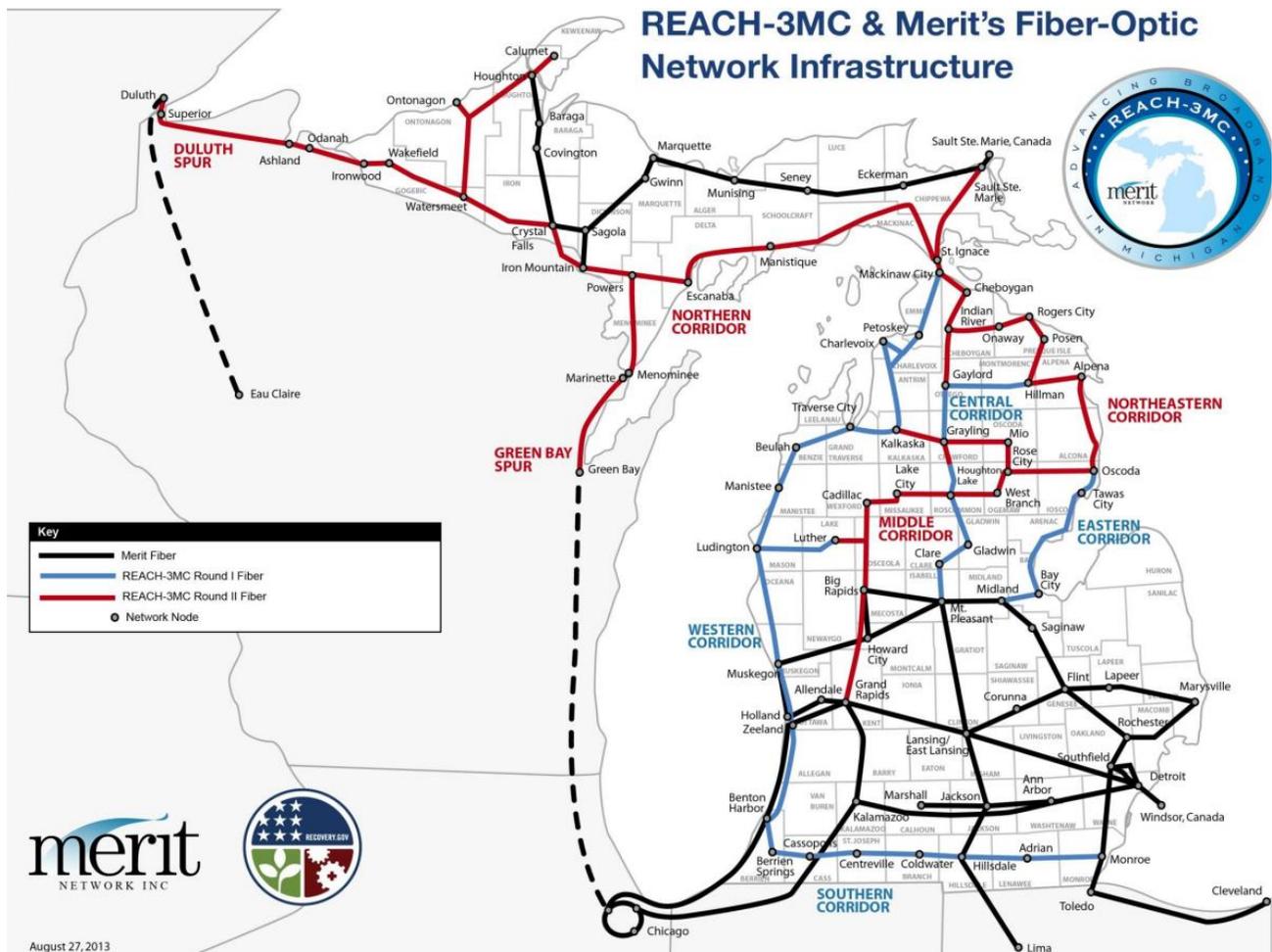
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[2] Internet Service Providers

[3] The American Recovery and Reinvestment Act, ARRA, is the 2009 federal stimulus program designed to spur economic growth and jumpstart the economy after the 2008 financial collapse.

County, Merit has fiber-optic lines running through Berrien County, and alongside several county facilities. In addition, they have a fiber optic line running across the St. Joseph River in Berrien Springs (seemingly, getting across the river has been solved for over 10-years). Included in these discussion with Merit Network, are John Egelhaaf, SWMPC; Berrien County Sheriff's Office Captain Rockey Adams from the Berrien County Sheriff's Office Emergency Management Division and Christ Swihart, Berrien County Director of Information Systems. With Merit's lines already in place, running by key county facilities, to connect the county buildings with county dedicated fiber would have a project cost around $3-4 Million. County owned fiber could pay for itself by leasing out the fiber we own to other entities, specifically local units of governments or schools. Administrator Dissette stated funding for this project could come from the ARPA funding, or more likely, could come from the tax delinquent fund. A county fiber ring would be a direct response to unmet needs throughout the county, and a solution to solve last mile connectivity issues in places that a private market will not extend their services if the cost/revenue analysis of user fees keeps the project deployment in the red. Additionally, a county owned fiber ring would drop our dependence on AT&T and Comcast. With these two entities things go fine until there is a problem. We have several county facilities operating 24-hours. When a system is down, waiting for the next available agent to answer the phone, or respond to an outage in a timely manner is critical to seamless operations.

    a. **Discussions with Merit (County Municipal Fiber).** Commissioner Freehling explained to the group that Merit is it's own ISP that serves critical community buildings and infrastructure. Owning a "leg" of a fiber-ring with Merit will connect our county facilities to one system, and we would get out of monthly contracts with Comcast and AT&T. For the project the county would partner with Merit during construction. Once the construction is complete, and IRU (indefeasible-right-of-use) would be the principle document of understanding used for the shared ownership of these lines with Merit.

    b. **Next Steps.** Commissioner Scott requested quotes for the project from Merit to be pursued and presented to BCBIT for consideration.

VI. **StoryMap.** The BCBIT StoryMap was presented to the Berrien County Board of Commissioners (BOC) Committee of the Whole (COW) on February 24th. Post meeting, SWMPC has requested if there are any final steps his organization needs to take before county use. Project is complete. No need to review what has been reviewed and present what has been presented.

VII. **Miscellaneous.** Next two meetings scheduled for BCBIT, March 17th and March 31st, are the ARPA application workshops. Please assist in reviewing material for these sessions.

Merit Network Inc. Fiber-Optic Map. Source: Mlive/Grand Rapids Press: January 20, 2010: "$33.3 million federal grant to help fund 955-mile fiber-optic network across Michigan."

About Merit Network
Merit Network Inc., is a nonprofit corporation owned and governed by Michigan's public universities. Merit owns and operates America's longest-running regional research and education network. In 1966, Michigan's public universities created Merit as a shared resource to help meet their common need for networking assistance. Since its formation, Merit Network has remained at the forefront of research and education networking expertise and services. Merit provides high-performance networking and IT solutions to Michigan's public universities, colleges, K-12 organizations, libraries, state government, healthcare, and other non-profit organizations.

About REACH-3MC
The REACH Michigan Middle Mile Collaborative (REACH-3MC) will build 2,287 miles of open-access, advanced fiber-optic network through rural and underserved communities in Michigan's Lower and Upper Peninsulas. The network will also provide backhaul to key connection points in Wisconsin and Minnesota. Led by Merit Network, Michigan's research and education network, REACH-3MC includes sub-recipients from the private sector to make broadband readily available to households and businesses that lack adequate service options in the 52 counties that make up the project service area. REACH-3MC is funded by a two grants (Round I and Round II) from the Broadband Technology Opportunities Program (BTOP) as part of the American Recovery and Reinvestment Act of 2009 (ARRA), commonly referenced as the Stimulus Package.