

Walnut Township Trustees Special Virtual Meeting

Date: October 26, 2020

Time: 7:00 p.m.

Recorder: Patricia McLoughlin

The Pledge of Allegiance was recited

Attendee	Present	Attendee	Present	Attendee	Present
Bill Yates, Trustee Chairman	X	Tom Lininger, Fairfield County Prosecutor's Office	X		
Terry Horn, Trustee	X	Bob Stewart, Frontier	X		
Doug Leith, Trustee	X	Tom Travis, Frontier	X		

Discussion Summary	Action/Decision/Follow-Up
<p>This meeting is conducted virtually through Zoom for the purpose of discussing pending litigation with Frontier Communications regarding phone and internet service within Walnut Township.</p> <p>The issue is that there is limited service for residents within the Township. The residents are paying for specific service and coverage and they are not receiving the advertised service. There are many damaged and unrepaired pedestal junction boxes within the Township. Due to the lack of response from Frontier, Walnut Township Trustees, represented by Trustee Doug Leith filed a complaint with the PUCO. A hearing has been set for Friday, October 31 to hear the complaint.</p> <p>Bob Stewart and Tom Travis representing Frontier asked for an opportunity to address the Trustees and present their plan for remedy of lack of service. Mr. Stewart explained that the range for service from a router is 15,000 ft. He explained that the average resident within the township is 10,000 ft., however, there are many that are 16,000-20,000 ft. away.</p> <p>His recommendation is to extend fiber cable nearer to Walnut Township and install a hi-speed router to it. He said that the cost of the router is approximately \$35,000.00 and the cost of the fiber cable is \$30,000.00 - \$40,000.00 per mile, depending on the terrain.</p> <p>Mr. Stewart said that there are currently 3 programs available to help cover the cost for this recommended upgrade:</p> <ol style="list-style-type: none"> 1. <u>Federal Government Care Act</u> – This particular program was targeted for education connecting teacher and students. 2. <u>Rural Digital Opportunity Fund (RDOF)</u> - This program is funded for up to \$18B per year and Frontier has submitted an application for some of these funds. 3. <u>State House Bill 13</u> – He referred to this as the Carfagna bill. This has passed in the State House but was going before the Senate for approval. 	

Mr. Stewart said that there are 2 types of routers, and the old style will be replaced with new utilizing the Capital funds, when and if these funds come available. He indicated that if interruptions continued they could move the customers to the new routers.

There was a settlement configured and signed with the PUCO in August. The condition was to budget \$25M per year for the next 3 years for individual projects. This could include repairing/replacing any damaged cable boxes within Walnut Township if those funds were directed to Walnut Township. Doug Leith said that there are still 14 identified damaged pedestal boxes that exist. Mr. Stewart asked for a list of the boxes and that he would address them ASAP. The Trustees are particularly concerned about the residents with Life Support necklaces. During service interruption these residents are at risk. Mr. Stewart stated that there is a form that residents with medical conditions can complete and anytime Frontier would receive a service call from the resident the account would be flagged as the customer having a medical condition and that the call would move to first priority.

The Trustees received an approximate \$400.00 invoice from Frontier and it was unclear what the charges were for. Mr. Stewart said the charges could be what they refer to as a "truck roll" charge. Mr. Leith said he would need to contact Jane Baker, the Fiscal Officer for a copy of the invoice to determine what the specific charges were for.

Mr. Stewart presented his plans for fixing the pedestal box issues that currently exist. He said that he would work on the back end and that Tom Travis who is the field representative with Frontier who would be working on repairing and replacing damaged pedestal boxes, cable, etc. Mr. Stewart asked the Trustees to consider dismissing the hearing scheduled for Friday October 31, 2020 in front of the PUCO.

The Trustees asked Mr. Lininger from the Prosecutor's office to give his opinion. Mr. Lininger said that his understanding is that speed is an infrastructure issue and could only be resolved by laying down all new equipment. It appears that Frontier is trying to address the issues as best they can by replacing equipment that can easily be identified as damaged. He said that with the plans set forth by Mr. Stewart as well as waiving the \$400.00 invoice, he felt that the Trustees could discuss a possible dismissal of the complaint.

Trustee Terry Horn had several questions for Frontier:

Is there any Federal or State mandate of what internet speed should be?

Mr. Stewart replied that minimum speed is 10 MBS download and 1 MBS upload but with the passing of House Bill 13 he minimum speed would be 25 MBS download and 3 MBS upload.

How long have the existing lines been in Walnut Township? Mr. Travis replied that although some sections have been replaced, many of the lines have existed since the 1970's, with some being replaced in the 1990's and early 2000.

<p>The Trustees moved to enter into Executive Session, including Tom Lininger from the Fairfield County Prosecuting Attorney’s Office at 7:51 p.m. to discuss the pending litigation.</p>	<p>Motion by Trustee Leith to enter into Executive Session, including Tom Lininger, second by Chairman Yates. <u>Roll Call:</u> 3 YES</p>
<p>The Trustees exited Executive Session at 7:59 p.m.</p>	
<p>The Trustees agreed to have Trustee Leith notify Mr. Daniel Fuller, PUCO representative requesting the hearing scheduled for Friday, October 31, 2020 be dismissed pending the provision of satisfactory documentation from Frontier as promised in open session. If said documents are received, there was agreement to dismiss the hearing. The Trustees agreed that if service begins to fail there would be opportunity to re-file a complaint with the PUCO in the future.</p>	<p>Motion by Chairman Yates to dismiss the PUCO hearing scheduled for October 31, 2020 pending receipt of satisfactory documentation from Frontier; second by Trustee Leith. <u>Roll Call:</u> 3 YES</p>
<p>Motion to adjourn at 8:04 p.m. by Chairman Yates.</p>	<p>Motion to adjourn at 8:04 p.m. by Chairman Yates, second by Trustee Horn. <u>Roll call:</u> 3 YES</p>

Chairman Bill Yates

Trustee Terry Horn

Trustee Doug Leith