

11-01-17

Judge Shaffer called a special meeting of the Gilliam County Court to order at 4:00 p.m. The meeting was held at Gilliam County Courthouse, Condon, Oregon. The purpose of the meeting was to discuss the status report on the County's efforts to bring fiber from Arlington south through the County.

Present were Judge Steve Shaffer, Commissioner Michael Weimar, Court Administrator Leanne Durfey, Recorder Mary Dyer, and Fiber Consultant Joe Franell. Commissioner Leslie Wetherell, County Legal Counsel Will Carey and County Fiber Attorney Jim Deason attended via speaker phone. City of Condon Fiber Consultant Adam Haas was present in the audience.

### **IN THE MATTER OF FIBER CONSULTANT REPORT**

Judge Shaffer opened the meeting and explained that the purpose was to discuss a fiber build status report presented by Fiber Consultant Joe Franell.

Franell said that a great deal of activity has occurred since the matter was last discussed by the Court on Oct. 4. During the first two weeks of that period, an RFP Committee was formed, consisting of Franell, City of Condon Telecom Attorney Nancy Warner, City of Condon Fiber Consultant Adam Haas, County Telecom Attorney Jim Deason, and County Legal Counsel Will Carey.

After much research and discussion, the Committee unanimously agreed that a Goods and Services RFP will be simplest and most appropriate, since the fiber build does not include infrastructure. Franell said a Goods and Services RFP presents the least risk and the best chance of a positive outcome.

Franell noted that an agreement has been finalized between Gilliam County and the City of Condon, but Columbia Basin Electric Cooperative has stepped out. All three agreed that it makes more sense and simplifies the process for the two government entities to issue the RFP. CBEC will have an opportunity to negotiate later.

A second draft of the RFP is nearing completion, but wording is under revision in a couple of spots. Franell said that the goal is to complete the RFP by the next Court meeting on Nov. 8, although an additional week may be required. Nancy Warner and Jim Deason are also working on supporting documents.

Franell also said that the Committee spent considerable time developing a list of key terms for use in the RFP.

Judge Shaffer asked where the difficulties have been, and Franell said that the first hurdle was deciding which form of RFP is most appropriate. He said that developing a list of key terms, which includes the number of fibers needed by each entity, also required a lot of discussion. The majority of the terms have been resolved, but the Committee is still working on wording that accommodates the number of fibers without predetermining the outcome. In the meantime, twelve pairs have been used as a placeholder.

Jim Deason clarified that the issue was raised because with each pair of fibers, the County is obligated to a monthly payment for twenty years. The goal is to ensure the County has enough fiber going into the future without an obligation to pay for more than necessary.

Franell also explained that the intent of the fiber build isn't to provide fiber solely from Arlington to Condon, but to go further south, as the fiber build is ultimately part of a larger infrastructure project. This intent will be a critical evaluation criterion for the RFP and bidders will be asked to provide evidence that they plan to continue the southern route.

Commissioner Wetherell indicated she had questions, but would wait to see if her concerns are addressed in the RFP. However, Franell and Will Carey urged her to forward questions to Franell, who will pass them along to the Committee to ensure they are addressed appropriately.

Commissioner Wetherell also asked about the end point, and Franell said that although it hasn't been decided yet, pinpointing a location in Condon will help bidders in their bidding process. The site should be carrier-neutral but large enough to divide it into carrier-specific areas secured with chain link fence panels and padlocks. Two or three centrally located sites in Condon are under consideration.

Jim Deason pointed out the importance at this point is maintaining priorities, and the next step is to determine how to evaluate the proposals to ensure that the responses meet the needs of the City and County, and then to move forward.

Franell said the Committee concurred that the RFP should allow for a 45-day window for responses due to the size of the project and the upcoming holidays.

Arlington Port Commission Manager Peter Mitchell was present in the audience and inquired about the project's starting point. Franell responded that the project will begin in

the BPA hut, which is the Slatt Building in the north end of Arlington. The hut is already carrier-neutral, with multiple carriers already present.

Judge Shaffer asked Franell to confirm that the fiber will be dark fiber, not lit fiber. Franell did so and mentioned that arrangements for lit fiber can be addressed later.

**IN THE MATTER OF THE NEXT COURT MEETING**

The next regular Gilliam County Court meeting will be held on Wednesday, Nov. 8, 2017, beginning at 10:00 a.m. at Gilliam County Courthouse in Condon, Oregon.

It appearing to the Court that there was no further business to be conducted at this time and no additional matters to be considered, Judge Shaffer adjourned the meeting at 5:00 p.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Michael Weimar, Commissioner

By \_\_\_\_\_

Leslie Wetherell, Commissioner

Mary H. Dyer/Recorder