

**GREATER AUSTIN AREA TELECOMMUNICATIONS
NETWORK (GAATN)
INTERLOCAL AGENCY**

**625 East 10th Street, 6th Floor
Austin, Texas 78701**

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
MEETING held on December 6, 2004 at
Lower Colorado River Authority
Shapiro Building Room 517
3701 Lake Austin Blvd
Austin, Texas**

Agenda Item No. 1:

The meeting was called to order by Chairperson Patrick Jordan at 1:33 p.m.

The following Board members announced as present at the start of the meeting:

John Kohlmorgan, on behalf of the Austin Independent School District
John House, on behalf of the University of Texas
Wayne Wedemeyer, on behalf of the University of Texas
Brian Kunz, on behalf of the Lower Colorado River Authority
Martha Krische, on behalf of the City of Austin
Patrick Jordan, on behalf of the City of Austin
Gray Salada, on behalf of the Austin Independent School District
Dave Kelly, on behalf of the State of Texas
Gary Weseman, on behalf of Austin Community College
Walter LaGrone, on behalf of Travis County

GAATN Personnel present at the start of the meeting:

Ronald Roberts, Project Coordinator
Ashley Caron, Project Manager
Heidi Cottingham, Maintenance Contractor
Syd Falk, GAATN Attorney

Agenda Item No. 2:

Citizen Communication

There were no citizens present.

Agenda Item No. 3:

Approval of November 1, 2004 Board Minutes.

Wayne moved to approve with a second from Gray; the motion passed unanimously.

Agenda Item No. 4:

Discussion and possible action regarding the Board Chairperson Update.

Patrick had no update for the Board but encouraged members to get in touch with him should any issues arise.

Agenda Item No. 5:

Executive Session: Adjourn for closed session, under Tex Gov't Code section 551.071, to seek legal advise about pending or contemplated litigation for:

- A. Construction, equipment, and product warranty claims; and**
- B. Damage to GAATN Fiber Optic Cables, equipment, hardware, and other property, and**
- C. Contractual or Tort claims against GAATN.**

Reconvene for discussion and decisions, if any, on matters considered in closed session.

Patrick moved the Board to executive session at 1:35 p.m and returned at 1:37 p.m.

There was no need for open meeting discussion on any of the items.

Agenda Item No 6:

Discussion and possible action regarding the financial report and budget issues.

Gray distributed the AISD financial summary. Patrick asked if the expenses were being tracked as planned and was told that they were. Dave requested Gray to ensure that the State's payment had been received.

Agenda Item No. 7:

Discussion of and possible action regarding the Technical Subcommittee Update.

John began by discussing the Damage Flow Chart that Ron had put together for the stated need to expedite activity for damage claims. The goal is to get damage letters out faster and prevent the 4-5 month lapse in some of the previous activity. John then mentioned that Ron had attended the GAIN class with the city and that the records for GAATN would be maintained with Iron Mountain through the city contract. John further mentioned that there had been some damage the past month due to squirrel activity, that DIN was undergoing some hardware replacement, and that BIN was complete to the Lake Creek Parkway area.

Ashley commented on the Damage Flow Chart by suggesting that Syd write the first letter but Syd noted that sometimes a letter from someone other than an attorney was beneficial. Syd did suggest a 10 business day response time followed by a 5 business day response for any follow up letter. Syd questioned if a second letter was necessary. Heidi estimated her success rate at 25%. Syd then noted that the holdup was getting the information to the Board for an official decision but all agreed that the process would still be much faster with the proposed changes. Patrick asked about a damage claim form and Martha shared that there was a fom that designated the maintenance contractor as the only contractor allowed to repair the GAATN fiber. Patrick queried the Board as to a need for a policy to accompany the chart or not. After some discussion it was decided that a policy to reference the chart may be beneficial. The matter will be continued at the next Technical Subcommittee meeting.

Agenda Item No. 8:

Discussion and possible action regarding the Network Manager's update.

Ashley passed out the site list to everyone again this month. Wayne noted that Gullette was not included as a UT site which would add to the count on BIN and SRN for UT. Patrick suggested approving this with the modifications but Gray asked for extra time. It was decided to have a special called GAATN meeting prior to the next Technical Subcommittee meeting to get an official vote on the site list and network rights. Gary asked for comparison of past network rights to be attached with the corrected sheets.

Ashley addressed the BIN expansion and produced the minutes of past meetings that Martha had

found that discussed the topic. Her question to the Board was a need to know if the Board desired to 1. Do nothing, 2. Pay back the city for the part that was done, or 3. pay city and complete the work. Patrick noted that the net cost to complete the expansion would increase the budgeted payments considerably. Ashley noted that it would increase the city portion by \$24,000 and AISD by \$29,000. Gray asked about the need to do the work this year, was there an urgency? Martha added that the project had been prioritized by the Technical Subcommittee for 2005/2006. Ashley noted that the \$84,000 was the payback amount for the city and the \$390,000 would be to complete the project. Patrick added that a connection with Round Rock was a factor in starting the project to begin with and noted that the city's needs in this area were already met with the present expansion. Gary noted that ACC may be interested in some of this area at a later date but their budget did not support it for next year. Dave shared that the State had nothing in the area. Wayne mentioned a research facility that may be a connection later. Heidi shared that some of the poles had been removed from the area and the new poles will require permitting. Patrick noted that feelings seemed to be against moving forward with the project next year and Walter added that part of this expansion wasn't in Travis County but that the move was and is supported if the Board wished to move forward. Ashley shared that she needed to know for the budget. Wayne moved to reimburse the city for the \$84,000 that was agreed too and this was seconded by Walter, subsequent vote was unanimous and Ashley was instructed to include that amount in her budget for 2005/2006. Gray asked for a refresher for the minutes containing discussion of this expansion before he could decide on whether to proceed. It was decided to add this to the special called Board meeting prior to the next tech meeting. John affirmed that the \$84,000 will go into the budget but the \$390,000 for the continued expansion is to be excluded for now. Patrick noted that his budget would be impacted severely with an increase of \$110,000 to \$137,000 per quarter. John informed the Board that AISD may expand south next year. Wayne suggested removing DIN from the budget. Walter asked if the \$100,000 for unidentified projects was enough and Ashley told him that it had never exceeded that amount previously. Ashley went on to inform the Board that the pipeline company was still in the way at TxDot and Hwy183. She added that mule tape was in the state system and ready for completion. Dave raised a concern over how repairs would be done at the site and agreed to work with Ashley on the matter to ensure that no future issue with access would arise.

Agenda Item No. 9:

Confirm date, time and location for the next regular Board meeting as January 10 , 2005 at 1:30 p.m. in room 517 of the Shapiro Building at LCRA on Lake Austin Blvd.

Time and location for next regular meeting was confirmed (January 10, 2005 at 1:30 p.m.) and the meeting was adjourned at 2:43 p.m.