

**Mosby Mountain Community Association, Inc.
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

Date and time: Tuesday, August 24, 2021, 7:00 pm

Meeting location: Remotely over the internet via the Zoom meeting platform

Board members present via Zoom:

Ryan Liverman, President, 1647 Hubbard Court
George Urban, Vice President, 1236 Hatcher Court
Jim Peterson, Secretary/Treasurer, 1696 Ridgetop Drive
Ken Garrison, Director, 1371 Singleton Lane
Carol Price, Director, 1146 Turnstone Drive
Steven Wasserman, Director, 1999 Ridgetop Drive
Chris Boggs, Director, 1671 Hubbard Court

Others present via Zoom:

Stacey Diefenderfer, 2011 Ridgetop Drive
Dora and David DeGeorge, 1629 Hubbard Court
John Glenn, 1330 Singleton Lane
Richard Heffner, 1731 Mattox Court
Rohit Malhotra, 1623 Hubbard Court
Numaan Malik, 1860 Rhett Court
Marsha Peterson, 1969 Ridgetop Drive
Alan Strain, 1635 Hubbard Court
James Walicek, 1713 Mattox Court

Because this was a special meeting of the board, only the items included in the published agenda could be considered. No other business or discussion could be held at this meeting.

1. Welcome and introductions

President Ryan Liverman called the meeting to order at 7:01 pm.

3. Approval of the July 20, 2021, board meeting minutes (posted on the mosbymountain.org website)

On a motion by Mr. Boggs, seconded by Mr. Urban, the minutes of the July 20, 2021, board meeting minutes were unanimously approved.

4. Board action to award Internet fiber contract or identify next steps in process

Mr. Liverman reported that the firm approved last year to provide fiber Internet service to the neighborhood has not been able to proceed but we have received proposals with various terms from two different firms and he will give an overview of the proposals to begin the discussion. Both proposals have the same deliverables with a gigabyte fiber Internet installed throughout the neighborhood to all 119 homes, routers included, and then various terms and some have additional ala-carte services that individual homeowners can sign up for if they want (such as phone service) at their own cost. The proposals are from Lumos Network and from Quantum Fiber (formerly CenturyLink Fiber). Quantum offers two plans to MMCA: seven years at \$53.00 per month per household, and 10 years at \$45.00. Lumos offers five years at \$52.00, and seven years at \$45.00. All are for gigabyte upload and download speeds. Lumos also offers a 2-gigabyte option to the individual homeowner for which they would pay an additional \$20.00 per month. Last year the membership of MMCA approved an amendment to the Covenants and Restrictions adding the provision of Internet services to each residential lot and family dwelling unit as an authorized service, and to approve an increase in dues of up to \$50.00 per month per household for this service.

Mr. Liverman opened the floor for questions or discussion. Mr. Urban asked about the potential time line to go live, and Mr. Liverman responded that both firms projected a six to seven month period from the signing of a contract to the full system going live. Mr. Liverman also noted that he has contacted other homeowners associations that have service from both of these vendors grilling them about all of the normal installation questions—tearing up yards, attaching to houses, customer service, timelines—and all provided good references. Mr. Peterson asked if both proposals reflected the same substantive provisions as were negotiated in the original contract with Ting, and Mr. Liverman responded in the affirmative. Mr. Peterson suggested then that the selection of a vendor would boil down to just a question of cost and reputation. He added that the CEO of Lumos is Diego Anderson, a longtime homeowner in Mosby Mountain and former member of the board who had been very helpful in pulling together the information that resulted in the original Ting proposal, even though Lumos did not submit a proposal at that time. Mr. Urban asked about the separation between Quantum and CenturyLink because CenturyLink DSL customers have reported going months without service. Mr. Liverman responded that the CenturyLink-Quantum restructuring is all happening this summer and Quantum will provide the fiber service while CenturyLink will continue DSL service, so it somewhat unclear at this time. Mr. Walicek asked if both companies have indicated they can deal with the rock issue and Mr. Liverman said that neither company thought that was a problem. Mr. Malik asked if there would be any additional installation or equipment charges. No, the vendor would ring the neighborhood with the main fiber lines and then systematically go house-by-house to connect up to the main line. A router will be provided and so unless the homeowner wishes to contract for other services at their own expense (such as phone, TV, etc.), the Internet would be paid by the Association through the \$45.00 per month increase in dues with no other charges to the homeowner. Mr. Malhotra asked about data caps and Mr. Liverman replied that neither vendor had indicated any caps but this would be specified in the contract. Mr. Boggs pointed out that if you currently use a particular TV service, you may need to continue to use their router.

Mr. Peterson moved that the board adopt the Lumos proposal with the seven-year, \$45.00 per month plan. Mr. Urban seconded the motion.

Mr. Urban commented that his support for the motion was because of the favorable cost and shorter length of commitment offered by Lumos, and also because of the favorable customer service profile reported for Lumos on the Internet, and the fact that an employee of Lumos is a Mountain homeowner and invested in the neighborhood. Mr. Liverman asked if there was any further discussion and Mr. Wasserman asked if the offer by one of the companies to offer double the speed for additional cost was an option offered by both companies. No, but if there were additional options down the road, that could be considered at that time. Mr. Malhotra asked if there was a long-term upper limit to band width, and Mr. Liverman said he would check on that. Mr. Boggs followed up by pointing out that even in his office practice, the speed is only 25 gigabytes so he is not concerned about the upper limit. Mr. Glenn commented that we should anticipate on the installation in some homes an additional cost to get the router installed

in preferred locations within the home which was an issue he had addressed at the time of the Ting proposal. Mr. Wasserman said that the proposal mentions a mesh managed wi-fi system, but Mr. Liverman replied that would be an add-on option, but if the home already had a mesh system that could be used.

Mr. Liverman called for a vote on the motion to approve the proposal from Lumos for seven years at \$45.00 per month. The motion passed with a unanimous vote.

Mr. Boggs noted that there is a provision in the ARB requirements regarding the appearance of exterior cable on the sides of houses and so we need to be mindful of that as we move ahead.

Mr. Urban moved, seconded by Mr. Garrison, that after our contract with Lumos is signed, we take action to formally withdraw our previous agreement with Ting. After some discussion about whether or not such action was necessary given that the agreement had never been fully executed, the motion passed with unanimous vote.

Mr. Garrison asked that after the final contract is in hand, if we need to go back to the full membership. No, because the expense was approved last year but we will follow up with full information to the neighborhood.

5. Adjournment

On a motion by Mr. Urban, seconded by Mr. Garrison, the meeting was adjourned at 7:33 pm.

Secretary's note: Mr. Liverman followed up with Lumos on several of the questions raised during the board meeting. Following are the questions posed by Mr. Liverman to Lumos, and the answers from Lumos are shown in italics:

- Will there be data caps? Either on individual accounts or the neighborhood as a whole?

No Data Caps

- You're providing 1 wifi router (wifi 6 i assume?) for each house or people can use their own compatible routers (CORRECT?). But I know you provide mesh set-ups as an added service to homeowners (with added fees) do you have a ballpark on what that runs for a house our size?

1 WiFi 6 Router included. Mesh WiFi costs \$10 monthly (covers basement to attic), and residents can use personal routers as well.

- Is it like FiOS where if a customer selects internet AND TV, then they would HAVE to use your provided router because then it also taps into coax, etc.

Our TV is a Streaming service, so they would just need a compatible Smart TV or use a Fire Stick to download the LumosTV app.

- Is there a theoretical limit of how fast the internet can be on the type of fiber you're installing? i.e. 5gigs, 50gigs, 1tb, etc.

Currently our network can provide up to 10GIG

- What will homeowners choices of install location be and if they have special requests will those be added costs? I assume the regular install included in our rate would allow the homeowner to select which side of the house? Or is that limited by you wanting to install it on same side as current utilities access the house? The "special requests" might be people wanting the access point to be installed off ground level (i.e. 2nd story) but I think that would be a rarity.

We typically come into the house where the power utilities enter. When we are ready to install services, we will contact each resident to notify them, and they can discuss with our technicians options for installation location. If proper wiring and power is available, we will be able to connect our equipment.

Respectfully submitted,

James R. Peterson
Secretary/Treasurer