

BERRIEN COUNTY BROADBAND INTERNET TASK FORCE

[BCBIT](#)

April 20, 2023 12:30 PM

Berrien County Administration Center, Zoom+

MEETING NOTES

MEETING ATTENDEES: Berrien County Commissioner **Teri Freehling**; Berrien County Commissioner **Jim Curran**; Berrien County Commissioner **Rayonte Bell**; Berrien County Administrator **Brian Disette**; Southwest Michigan Planning Commission Executive Director **K. John Egelhaaf**; Berrien County Community Development Director **Dan Fette**; Berrien County Geographical Information Systems (GIS) Director **Lex Winans**; DCS Technology Design (DCS) President **Chris Scharrer**; Galien Township Supervisor **Gerald Mast**; Comcast Business Representative **Phil Goodrich**.

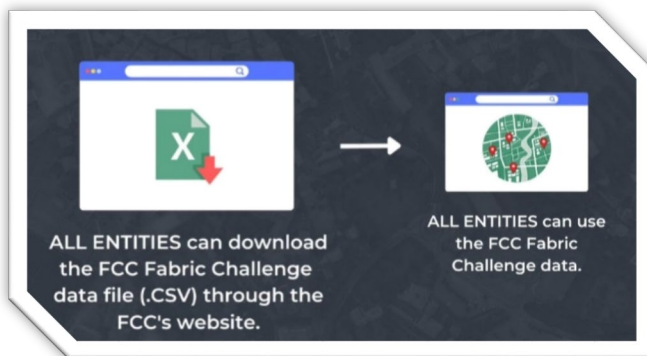
- I. **FCC Challenge Update – DCS Technologies.** Mr. Chris Scharrer, President of [DCS Technology Design](#), updated the group on the progress of Berrien County's parcels submitted to FCC, [Federal Communications Commission](#), challenging the authenticity of the federal data of broadband availability to our field-collected broadband infrastructure data collected and verified across the County parcel-by-parcel through by DCS Technology Design and published to corresponding and recently updated [broadband dashboards by individual municipalities](#) and a [broadband dashboard for Berrien County](#).

In total, Berrien County found and submitted 1,724 parcels, or locations, to the FCC challenging the information posted by ISPs. Our challenge is that these 1,724 parcels are incorrectly shown on the FCC map as served. These parcels are not served. As part of our challenge we have a field study verifying these 1,724 are incorrectly identified as having internet and they do not have internet.

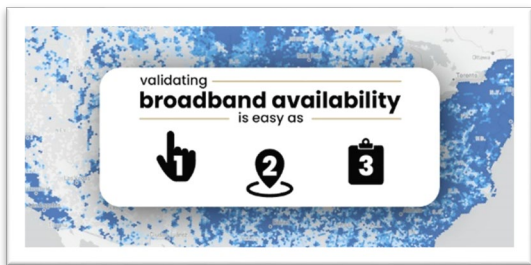
Through this process, all 1,724 parcels submitted for a challenge are first reviewed by the FCC and then shared with the relevant ISP. The ISP responsible for the possibility of erroneously reporting broadband availability to the specific location is allowed to accept the challenge as a correction they need to make or rebut the challenge to their reported advertised speed they report to the FCC in their self-reporting [FCC Form 477](#). If a resolution cannot be reached, the FCC will decide whether the challenge should be upheld or dismissed.

Updated and accurate broadband maps displaying accurate data are an important milestone toward closing the digital divide. Increasing the accuracy of federal broadband data and maps will support informed decisions about how to best direct federal funds and target programs designed to increase broadband connectivity and address the digital divide. Without accurate data, broadband maps may not reliably indicate need, and federal assistance may be provided to areas that already have sufficient service, leaving other areas unserved or underserved. Currently, through this challenge process of the 1,724 locations submitted 1,224 have been upheld. The map will be updated. Remaining are 500 parcels that are in process, are being reviewed.

Chris Scharrer will continue to update on the status and progress of these challenges until this process is complete. **Many thanks go to Dan Fette**, Community Development Director, for understanding and gaining access for Berrien County to access this information, including the complicated process of the FRN number acquisition as a requirement to access FCC data housed by the private company [CostQuest Associates](#)¹ (CQA)² contracted by the FCC to build the [National Broadband Map](#). In addition, **thanks goes to Lex Winans**, GIS Director, and **Helen DeMarsh**, GIS Mapping, as they worked with Chris Scharrer to get this information queried sorted and submitted in the format required by FCC to process challenge inquiries. Chris Scharrer also reported as far as he knows, Berrien County is the only entity in the State of Michigan to submit data to the challenge process. The rest are not geared up to with verified data, or gave up the first 10 minutes with the realization of the work involved to register and submit challenges.



As a reminder, individuals are still welcome to look-up their address on the [National Broadband Map](#), to verify the information is correct. If the information is incorrect, the challenge process as an individual is less complicated and easy to follow through the prompts on the FCC website.



To review the map and submit a challenge: Go to [FCC Broadband Map](#). Type in an address and see if the reported coverage is accurate. Submit a challenge by clicking “Location Challenge” if the location is missing or “Availability Challenge” if the internet service information is incorrect.

II. Consideration of Merit Addendum to Berrien County Survey Resolution & Agreement. As discussed and reviewed at the [BCBIT March 30, 2023 Meeting](#), [Merit Network](#) is requesting an addendum to their original agreement and supporting resolution with Berrien County for a County-wide Broadband Survey. Our original agreement with Merit Network, Inc. (Merit) was established back in 2020 through Resolution [F2012421](#) for a county-wide broadband data collection study through Merit’s [Michigan Moonshot](#) program, a research and education initiative to lessen the digital divide through a collection call to action. The [final report](#) of this survey and data collection was published [May 2021](#). Fast-forward to now, Merit continues their work as a non-profit to expand internet to all with data that is reliable and quantifiable as a nonprofit, member-owned organization formed in 1966 to design and implement a computer network between public

¹ [CostQuest Associates \(CQA\)](#) is a broadband consulting firm specializing in economic cost modeling, broadband planning, mapping, government advisory, network valuation, appraisal services, & developing GIS (Geographic Information System) data for the broadband ecosystem. CQA blends real-world engineering principles, regulatory knowledge, economics, & data science, to create effective & targeted solutions.

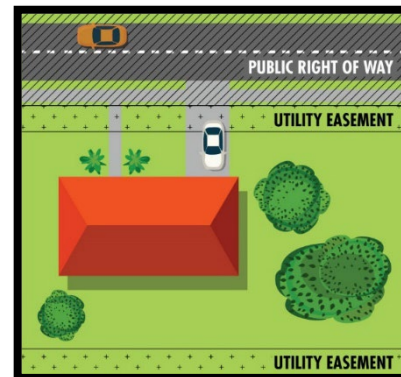
² [CostQuest is contracted by the FCC](#) to deliver a [Broadband Serviceable Location Fabric](#) (FCC Fabric) data set, to provide the foundational location data to support the FCC’s Broadband Data Collection process and National Broadband Map.

universities in Michigan. Merit has requested a revision to the agreement they have with Berrien County. The original agreement has several provisions, one being the use of data, and an expiration in which that data can no longer be used. Merit is conducting research on broadband adoption and its challenges and has requested the continued use of the data they collected. The data will not go beyond their organization and will assist with their research efforts. Merit is connected with several institutions, including the University of Michigan, and their efforts to expand access to the internet isn't just in the research laboratory but also the deployment of infrastructure to anchor education institutions. Through consensus at the previous meeting, the BCBIT Board recommended for approval to the Berrien County Board of Commissioners an addendum to the Merit Network Agreement, as presented and reviewed by Corporate Counsel, allowing for the extended use of broadband data previously collected for use in the County-wide Broadband Survey. The addendum to the Merit Agreement was prepared by Berrien County Corporate Counsel and sent for review and discussion by BCBIT members. The addendum to this agreement, as presented, can be found [here](#).

Through consensus the BCBIT Board approves this addendum to the Merit Agreement as presented by Corporate Counsel and recommends action to forward this addendum of the Merit Agreement addendum for committee review and approval, followed by review and approval by the full Board of Commissioners.

III. GEO Partner Software Renewal. The request from Southwest Michigan Planning Commission is to renew their GEO Partner Software subscription package for another year. Initially, BCBIT funded SWMPC with access to this modeling software (\$5,000) in October 2021 through Resolution [F2110322](#). Currently, an annual renewal is required (\$4,000), and requested for funding by SWMPC, to continue using this software. We will push pause on this request for now. The capability and usefulness of this software package with ArcGIS or other universal software programs is unknown and yet to be understood, explained, investigated, or demonstrated. Not to say this is not a useful or powerful software as described in functionality by SWMPC. This agenda item is closed until there is a intended project consideration specific to Berrien County for the specific use and benefit of funding the GEO Partner Software Package and the ROI is equal to or obvious to the acceleration of a Berrien County broadband expansion project's success.

IV. Discussion of Permitting and Fees; Formalize Process. Previously, at our most recent BCBIT meeting ([BCBIT 3.30.2023 Meeting Notes](#)), the Berrien County Road Department ([BCRD](#)) presented their process for permitting and fees, along with the familiarity of working with ISPs who are charged with expanding broadband infrastructure in Berrien County. Though the learning of this process, permitting and fees, undertaken by [Don Goulooze](#), Weighmaster, and [Mark Heyliger](#), Managing Director of the Berrien County Road Department ([BCRD](#)), there is an overall consensus by BCBIT members to formalize the process through a standardized workflow document beginning with our [permit application](#) requirements and [standardized fee schedule](#) (see also BCRD [Right-of-Way Policy](#)).



In our case, with upcoming telecommunications builds, a fiber network route is submitted with the completed application to the weighmaster for review. Berrien County’s standardized process to issue permits additionally supports the [Michigan Infrastructure Council](#) (MIC) “Dig-Once” Project Portal. MIC’s Dig-Once Project Portal is a real-time project mapping tool using ArcGIS technology to document intended construction projects across transportation, water, utilities, and communication infrastructure allowing for infrastructure owners to take advantage of overlapping projects by collaboration of future build timelines and *encouragement* of sharing resources, included by not limited to labor and machinery, permits and public notices. This leads to 15-30% cost savings, and, and this goes without saying, reduced citizen burden on the number of detours, road closures as well as addressing the negative public perception caused when a new paved road is ripped up again (and again) but for a different reason, often the same time within months. The portal alerts owners to overlapping project and provides contact information (in hopes of folks using the portal to contact each other). **Dig-once entails interagency cooperation to prevent multiple excavations no matter if the project in broadband, utility, transportation, or otherwise.**



The State of Michigan’s DIG-ONCE Project Portal: The Michigan Infrastructure Council (MIC) Public and Private Infrastructure “Dig

Once” Coordination Tool is a web-based portal that provides real-time project mapping for infrastructure project collaboration and communication using Geographic Information Systems (GIS) technology. **Benefits of a DIG-ONCE collaboration include costs savings, efficient use of resources and reduced burden on residents near a work site.**

Overall, if you look at Berrien County’s permitting process compared to [BEAD Funding Technical Guidance](#) released by the NTIA³ for the BEAD⁴ program, specific to permitting, we are on the right path supporting infrastructure buildouts, broadband or otherwise. See Permitting-Related Best Practices Guidance for BEADⁱ. Additional resources such as guidance, templates, and toolkits for the BEAD program can be found [here](#). BCBIT is initiating early contact with local, county, and federal government agencies to ensure any approvals and permits are properly planned, and obtained in a timely manner, as these issues can be challenging and complex. BCBIT also reviewed a new GIS map released by Berrien County GIS linking parcels to permits on file.

- V. **ROBIN Grant Updates.** Chris Scharrer, DCS Technology Design, updated the group on the ROBIN Grant. The [Michigan High-Speed Internet Office](#) (MIHI) administers the Realizing Opportunity with Broadband Infrastructure Networks (ROBIN) Grant Program. ROBIN is a high-speed internet last mile and middle mile infrastructure competitive grant program with \$238 million in project funds from the US Treasury ([announced 10.7.2022](#)) as part of the Coronavirus [Capital Projects Fund \(CPF\)](#).

³ NTIA: National Telecommunication and Information Administration.

⁴ BEAD: Broadband Equity, Access, and Deployment Program.

The MIHI Office continues to review and score the 154 applications requesting \$1.3B in grants received for the ROBIN Program. Once the applications are all reviewed and scored, the MIHI Office will publish the Initial Grant Recommendations. This will start the statutory 45-day comment/objection period. Once comments are received and any objections validated, MIHI will then be able to make final grant awards later this summer. Basically, expect hear something by Memorial Day. There is then a 45-day window for public comment, and then final awards will be announced by Labor Day. Projects must be completed by December 2026.

There was an expectation, and it was posted at one point, that once the ROBIN application window closed on March 14th, the applications submitted would be available for view as submitted to the programs web-based application portal [EGrAMS](#). This however, does not seem to be the case, at this time, while the applications are under review. Therefore, we have asked the ISPs that have submitted applications on behalf of Berrien County to share their applications with us, minus, of course, their propriety data. [Midwest Energy and Communications](#) (MEC) will share their application, Comcast ([Xfinity](#)), [Frontier](#), and [Surf](#), have (in-a-nutshell) declined the inquiry from us to share their applications. Look, we aren't giving you a grade on grammar and punctuation, we just want see if what is being submitted is half-way decent, contains accurate data, and is a viable project to the specs of the grant without stating forms and supporting documentation submitted as part of a grant application are treated as a material representation of fact.

Phil Goodrich, Comcast representative, was able to share a few points of the Comcast application submitted, though this was the *same* information presented at our previous meeting, that is, Comcast submitted a statewide application covering multiple counties. Extracting Berrien County data from the Comcast application, Comcast reiterated 2,741 parcels are represented in their ROBIN application. Additionally, Comcast shared with us their last minute changes and scramble to submit an application minus parcels already funded by federal funds. We knew this, and it was stated clearly all throughout the process as the following: No overlapping of double-dipping is allowed. To assist with parcels already funded, not eligible for ROBIN funding, we have the data loaded to our maps and offered this data sets to ISPs. Comcast declined to use our data. MIHI also has this data of ineligible parcels on their maps. End result, this error was caught quickly at the MiHi office. Moving forward, if we receive an application that was submitted by an ISP for the ROBIN grant, this will be forwarded, or shared, once the necessary redactions are in place.

- VI. BCBIT Roadmap.** The Michigan High Speed Internet Office (MIHI) has a formalized and published [2021 Michigan Broadband Road Map](#). Moving forward, Michigan and the MIHI office is now focusing on developing the state's first five-year broadband strategy (requirement of BEAD) and a digital equity plan. SWMPC has presented to the group a 3-page outline for a Berrien County BCBIT Roadmap eventually formalizing the process with a comparable layout and feel to the State of Michigan's Broadband Roadmap completed in 2021. Commissioner Curran asked Chris Scharrer if Washtenaw or other counties he has worked with have a Broadband Roadmap or any such formality in a documented broadband deployment process. Chris Scharrer stated the counties he works with do not have formalized broadband roadmaps. The flow of the projects, and information is constantly changing. Such a document may not keep up with new technologies, speeds, infrastructure, deployments requirements, and fundamental expectations. We will review this agenda item at our next meeting.

VII. Private Public Partnership and BEAD Funding. Too soon to tell if BEAD funding will require a P3 arrangement. As such, there is not really a one-size-fits-all P3 template out there. It depends on broadband needs, local regulations, not to mention if there is already a local agreement in place specific to a cable company, or otherwise, serving a defined area. The one thing we can do to make our broadband projects faster and cheaper in streamline permitting.

VIII. Vertical Asset Inventory Questions. Mapping towers, poles, silos, barns, and tall buildings is an inventory of a community's vertical assets that is then made available to ISPs as if they have no clue what they are doing and we are the experts.

The need for Vertical Asset Inventory mapping is specific to Wi-Fi antenna placement and cell reception. Currently, the broadband funding we are seeking places Wi-Fi as the least favorable for broadband expansion. If an inventory of vertical assets becomes necessary, there is a web-site available that may contain the information one needs.

[AntennaSearch.com](https://www.antennasearch.com) is a searchable database containing detailed information (location, ownership, contact info, frequencies, etc.) on towers and antennas within the United States, including those antennas and towers on top of buildings. This stuff has to be registered, and it's mapped, with the owner information. I punched in my address, and it was spot on, including the licensed ham-radio operators in the area with towers in their backyard.

IX. Representative Wendzel Discussion of HB 4207 and HB 4208. This will be reviewed at our next meeting. For additional information, or to follow HB 4207 and HB 4208 a summary is provided:

HB 4207 & 4208 is best summarized as tax exemptions on real and personal property taxes of Internet Service Providers facilities and eligible broadband equipment.

[HB 4207 of 2023](#)

- 🔗 Property Tax: Utility Property; Eligible Broadband Equipment;
- 🔗 **Exempt** from certain taxes.
- 🔗 TIE BAR WITH: HB 4208'23.
- 🔗 Last Action: 3/9/2023 bill referred to Committee on [Tax Policy](#).

[HB 4208 of 2023](#)

- 🔗 Property Tax: Exemptions; Eligible Broadband Equipment;
- 🔗 **Exempt** from Personal Property Tax.
- 🔗 TIE BAR WITH: HB 4207'23
- 🔗 Last Action: 3/9/2023 bill referred to Committee on [Tax Policy](#).

X. Miscellaneous. Next meeting will be the first or second week in May.



Permitting-related Best Practices

State and local agencies must look out for common red flags when dealing with the permitting process and are encouraged to make use of permitting green flags.

PERMITTING RED FLAGS

Avoid these red flags when working through the permitting process with your state and local agencies.

Exorbitant Fees |

Some state and local agencies assess costly fees for processing permits that can deter applicants from applying, increase timelines, and create unnecessary hurdles. To ensure efficiency, set fee rules or guidelines that **tie the fee to the actual cost of permit processing**.

Lack of Communication |

Failing to communicate across state agencies and other units of government **can result in unnecessarily duplicative permits**. Be sure to communicate with **all relevant stakeholders when developing policies** to make your permitting processes more efficient and less resource intensive.

PERMITTING GREEN FLAGS

Pay attention to these green flags when working through the permitting process with your state and local agencies.

Consolidate Permits |

States and local agencies that consolidate permits (for example, by addressing duplicative permits by creating a **'General' permit**) increase the efficiency and speed of permitting review processes.

Allow E-Permitting |

Some states, such as Illinois, have already **implemented online/e-permitting to streamline the process** by allowing applicants to fill out applications online, track them, and correct them if necessary. E-permitting can reduce applicant confusion by helping them understand all requirements up front.

Assess Capacity |

State and local governments must be prepared for the upcoming permitting application increase. Assessing your **current capacity** and making adjustments (such as hiring consultants) before the permits come in will ensure a well-resourced and timely process.

