SOUTH CAROLINA EDUCATIONAL BROADBAND
SERVICE COMMISSION

Meeting Minutes
September 22, 2008

Opening:

The first regular meeting of the SC Educational Broadband Service Commission was called to order at 10:00am on September 22, 2008 at 1401 Senate Street, Room 115 by Neil Mellen. Mr. Mellen asked that it be recorded that a Public Announcement of the meeting was posted on Thursday, September 18, 2008 and Public Notice was provided to the Media.

Members Present:

Neil Mellen, Jack Cooper, Gary Pennington, William Byrd, Dr. Joachim Taiber

Members Present Via Telephone:

George Wyatt, Ellen Ruff

Staff Present:

Paul Koch, Gay Hoyer

1.   Introductions

Commission members introduced themselves via round table and phone.

2.   Overview of State Ethics Act

Cathy Hazelwood of the SC Ethics Commission informed the commission members that they would be governed by the Ethics Act. Ms. Hazelwood provided members with a copy of her overview of "The Ethics, Government Accountability, and Campaign Reform Act of 1991" and explained how the Act applied to them as commission members. Ms. Hazelwood then entertained questions from the members.

3.   Background

The following background information was supplied to commission members by Nancy Combs of the Senate Judiciary Committee. Ms. Coombs also provided a brief overview of the functions of the commission.

   a. **South Carolina's acquisition of spectrum**
   b. **Overview of federal/state rules and regulations**
   c. **Timeline for Action**
   d. **Findings and recommendations of Broadband Study Committee**
   e. **Evolution of Educational Broadband Services Commission Legislation**
   f. **Options and foreseeable consequences**

4. Election of Commission Leadership

a. Authority of chairperson:

The commission members agreed that the "chairperson" of the commission should be given the following authority:

- Authority to interact with Legislators.
- Authority to talk with a Consultant (Consultant must be approved by the commission).
- Authority to seek or speak with Legal Counsel.
- Authority to call and schedule commission meetings.

Once the commission agreed on the authority of the chairperson, a motion was made for nominations of a chairperson. Neil Mellen nominated Gary Pennington for Commission Chairperson. Neil Mellen felt that Mr. Pennington, having served on the SC Broadband Technology and Communications Study Committee as well as having a technical and legal background, was a good candidate for the position of chair. No other nominations were made and the commission unanimously voted to accept Gary Pennington as Chairman. It was agreed that the commission was also required to have a Vice Chairperson. William Byrd nominated Dr. Joachim Taiber as commission Vice Chairperson and made a motion in this regard. All members agreed and the motion was passed.

Adjournment:

Paul Koch and Budget and Control Board staff were thanked by the commission for their role in facilitating the meeting and the meeting was adjourned. The next general meeting will be held September 29, 2008 in conference room 213 at 1401 Senate Street.