



# Baldwin County Commission

## Legislation Text

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**File #:** 21-0255, **Version:** 2

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 12/1/2020

**Item Status:** Replacement

**From:** Wayne Dyess, County Administrator; Ron Cink, Budget Director

**Submitted by:** Anu Gary, Administrative Services Manager

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### **ITEM TITLE**

\*Telepak Networks, Inc. d/b/a C Spire - Cable Television System Franchise Agreement

### **STAFF RECOMMENDATION**

Conduct a public hearing to consider the following:

Approve/authorize the provisions of Resolution #2011-085 of the Baldwin County Commission to be binding to Telepak Networks, Inc. d/b/a C Spire pursuant to Telepak Networks, Inc. d/b/a C Spire executing an instrument entitled "Acceptance of Terms of Resolution #2011-085 Adopted by the Baldwin County Commission Authorizing Telepak Networks, Inc. d/b/a C Spire to Provide Cable Television Services to Residents of Unincorporated Baldwin County."

This Agreement shall be for ten (10) years commencing upon its effective date on December 1, 2020, as last executed among the parties, and expiring on December 1, 2030, unless terminated in another manner as prescribed by said Agreement.

### **BACKGROUND INFORMATION**

**Previous Commission action/date:** N/A - New Franchise Agreement

**Background:** **Reason for replacement agenda item:** Staff recommendation has been revised to reflect the correct term of the agreement being ten (10) years from the effective date instead of five (5) years. The agreement will be effective December 1, 2020, and terminate December 1, 2030.

Telepak Networks, Inc. d/b/a C Spire has requested a new Cable Television System Franchise Agreement with the Baldwin County Commission.

Telepak Networks, Inc. d/b/a C Spire has not previously been granted a cable franchise agreement by the Baldwin County Commission.

### **NEW REQUEST FOR A CABLE TELEVISION SYSTEM FRANCHISE AGREEMENT:**

Currently, there are five cable or video systems in unincorporated Baldwin County, which have been granted a franchise agreement by the Baldwin County Commission (Local Franchising Authority), which, authorizes their use of county-owned rights-of-way to operate in unincorporated Baldwin County.

The work session and public hearing allows Telepak Networks, Inc. (C Spire) an opportunity to participate in a process on this matter before this Local Franchising Authority. Staff requests that this Local Franchising Authority conduct a public hearing to allow the Commission and interested citizens an opportunity to determine if the grant of an Agreement would be in the best interest of the citizens and, if the public hearing does not reveal a legitimate reason to deny, approve such grant.

### **FINANCIAL IMPACT**

**Total cost of recommendation:** Incoming revenue TBD

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
Yes.

**Reviewed/approved by:** County Attorney has reviewed and approved (Laura Coker) 11/23/2020  
akg

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

### **FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** Administrative Staff

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**  
Administration:

Letter and Acceptance Form and Agreement to Telepak Networks, Inc. d/b/a C Spire as follows:

Telepak Networks, Inc.  
Alan Jones, Sr. Vice President  
1018 Highland Colony Parkway, Suite 400  
Ridgeland, MS 39157

cc: Charles L. McBride Jr.  
SVP-Legal & General Counsel  
1018 Highland Colony Parkway, Suite 700  
Ridgeland, MS 39157

cc: Gregg Logan, VP of Engineering, Telapex, Inc. [glogan@telepexinc.com](mailto:glogan@telepexinc.com)  
<<mailto:glogan@telepexinc.com>>

cc: Heather Gwynn [HWYNN@baldwincountyal.gov](mailto:HWYNN@baldwincountyal.gov)  
Cian Harrison [cian.harrison@baldwincountyal.gov](mailto:cian.harrison@baldwincountyal.gov)  
<<mailto:cian.harrison@baldwincountyal.gov>>  
Ron Cink [rcink@baldwincountyal.gov](mailto:rcink@baldwincountyal.gov) <<mailto:rcink@baldwincountyal.gov>>

**Additional instructions/notes:** N/A