

**Vermont Community Broadband Board Meeting**  
**Monday, March 11, 2024, 12:00pm to 4:00pm**  
**Draft Meeting Minutes**

**I. Agenda Item #1 - Meeting Call to Order, Roll Call, and Approval of Agenda**

Patty Richards joined the meeting at 12:01pm and called the meeting to order at 12:05pm and completed roll call.:

- Patty Richards
- Laura Sibilila (Remote – may join later)
- Brian Otley (Remote)
- Holly Groschner (Remote)
- Dan Nelson (Remote)
- Christine Hallquist - Staff (Remote)
- Robert Fish – Staff (Remote)
- Alissa Matthews – Staff (Remote)
- Toni Clithero – Staff (Remote)
- Heryn Herzog – Staff (Remote)
- Britaney Watson – Staff (Remote)
- Alexei Monsarrat - (Remote)
- Kristina Sweet – Staff (Remote)
- Thomas Malinowski – Staff (Remote)

Patty Richards made a motion to approve the agenda. Dan Nelson proposed moving item 4 on the agenda RE: Board policies to the next meeting. Discussions will be an overview of the process and status of policies. There was no action on the Construction policy. Item 9 of the agenda, Fiber resolution is removed. Patty added an executive session at the end after 13 for Board evaluation and personnel matters. The Board voted and approved the changes.

**II. Agenda Item #2 - Public Comment**

Irv Thomae raised issues regarding the mission of Act 71 and the BEAD requirements. Ellie de Villiers stated that Maple Broadband has now completed 100% of their build. Christa Shute, NEK Broadband discussed FCC update about the number of off-grid and habitable locations and will be meeting with them in June. Christine Hallquist confirmed that the VCBB BEAD plan was accepted, and the BEAD Challenge is beginning March 18, 2024. Holly Groschner suggested creating a grants cumulative dashboard for the CUDs.

**III. Agenda Item #3 - Meeting Minutes**

Meetings minutes for February 6, 2024, to be corrected to note that Patty Richards was absent. The Board voted and approved to change the meeting minutes that Patty was was absent. The meeting minutes for February 12, 2024, did note that sections needed corrections. The minutes were not approved. The minutes are to be revised. The Board had a motion and voted that the meeting minutes for Feb 6 and Feb 12 were not approved and needed to be revised and resubmitted at the next full board meeting.

**IV. Agenda Item #4 - Board Accountability Policy Review – Tony Clithero**

Provided an update to the Board in terms of where the Affordability Policy is and make a recommended minor change or tweak to the Board approval policy that was adopted by the Board at the December 11th meeting. There are three (3) policies, Construction Standards Policy, the Consumer Protection Policy, and the Grantee Agreement Policy that have been through a public comment and post public comment in depth. There were subsequent meetings with the subgroups to make edited changes and will be posted again for public comment for a period of five (5) days. The three policies should be ready for the next Board meeting. Shortly thereafter we will have a draft of the Affordability Policy for your review. Annual report policy that's very comprehensive and that's also going to require a separate meeting. Recommended the sunset provisions policy for the VCBB be postponed for a bit. With respect to the lien committee, there were significant comments that were received that were received by the NTIA and response to a request for comment that they issued this past summer. NTIA did recently issue a new policy notice with respect to all the federal interest period and the uniform guidance. Patty Richards requested that the policies be sent via email to have the latest draft. Toni did so.

Patty Richards stated about the significant comments from the NTIA and the lien committee, asked how our policies fit or not fit with the next step with a BEAD grant to this to the policies were writing today. Toni responded that there was alignment but there were also differences. Groschner then Holly stated in doing the Act 71 policies was the priority and then noting any changes necessary for BEAD. Patty Richards requested VCBB identify for each staff (person) in their respective role who can speak to the distinctions between BEAD and Act71. Toni requested a change to process by requesting a second public comment review and posting. This led to a discussion where questions by Holly Groschner, Patty Richards, and Brian Otley were asked about why another public posting would be required. Holly stated that the Board should get a redline version to know what the changes were rather than a final version. Patty Richards stated to go above and beyond and repost it for public comment just to make sure and then go to the Board.

Laura Sibilia joined the meeting and stated her perspective on accountability and overall comment for us to keep in mind about Act 71 was about two things, universality, and accountability.

**V. Agenda Item #5 - BEAD Potential Subrecipient Support Program – Rob Fish**

Rob discussed the selections that we have made, the recommendations we have made for the two recipients of BEAD Potential Subrecipient Support Grant Program. – Northwest Fiberworks and Lamoille Fibernet grant application. They are looking for these funds to do additional community outreach and legal analysis of a model that could involve multiple partners that are currently partnered with a single provider, but that may not be the most cost effective, most efficient way to serve addresses in various parts of their CUD. There were discussions regarding the sub-recipients, the competitive and award process/approval, and the allocation of funds. There are two (2) applicants. Toni suggested to move into executive session on the grounds that information may be proprietary to one or more of the applicants. Patty motioned to go to the executive session. There will be an executive session for each applicant. Toni stated it is title one, section 313, little A, little 6 that applies to discuss records that are subject to the public records exemptions and the exemption that Toni cited - VSA section 313(A)(1)(a), which protects information concerning premature information concerning contract negotiations. Patty requested a vote. The Board agreed unanimously.

No action was taken in the executive session. Patty put forth a motion to approve Lamoille Fibernet's application. Laura seconded the motion. The Board voted and approved unanimously. Patty put forth a motion to approve Northwest Fiberworks' grant application. Dan seconded the motion. The Board voted and approved unanimously.

**VI. Agenda Item #6 - CVFiber Request for Grant Extension/Tiger Team Update**

Patty requested a move to executive session under chapter One VSA section 313, Subparagraphs A1A, which protects information concerning contracts where premature general public knowledge would clearly place the public body or person involved at a substantial disadvantage. Patty requested a vote. The Board voted and approved unanimously. Afterwards, Patty stated they have come out of executive session, no action was taken in executive session on item number 6, and we will now move on to legislative update.

**VII. Agenda Item #7 - Legislative Update – Gwynn Zakov**

The legislature has passed the Budget Adjustment Act H839. The bill was sent to the Governor on the 7th for signatures, so we can anticipate it being signed by the Governor as early as today or tomorrow. The bill contains the \$20 million that was borrowed from the VCBB back in July of 2023 and will be given back to the VCBB once signed by the Governor.

The second Bill of import is S199. It is an act relating to mergers and governance of the CUDs. It was passed by the Senate and is currently in the House Committee on Environment and Energy, and the bill outlines the processes and procedures for mergers of CUDs. Patty put forth a motion of S199 that the VCBB should send the committee a letter of support and willingness to testify. Holly seconded the motion. The Board voted and approved unanimously.

The third bill is S181, an act relating to the community, media, public benefit fund and is currently in the Senate Finance Committee. It creates a Broadband Affordability program that was added at the very end of the last week of session before they broke for town meeting. Holly asked if the bill designated who would receive those funds or anything about the administration of an affordability program.

Bill H657 passed out of the House Ways and Means Committee and is currently in the House Environment and Energy Committee.

**VIII. Agenda item # 8 - Limited-Service Position Requests - Legal/Admin Support and Data Management Support (BEAD Funded) - Rob Fish**

Two limited-service positions; one to support the general counsel and Board activities and the other to support digital equity as a data manager as was discussed in November 2023. Holly supports the general counsel support but questions the need for a data manager. The Board discussed the possibility of hiring a contractor rather than an individual. Britaney explained the role and the level of data involved and working with the Digital Navigator program to meet federal and BEAD requirements. The Board recommended that Christine provide information on roles. Many on the Board suggested hiring a contractor instead of more staff for the data manager role. Patty made a motion to approve moving forward and hiring the legal admin support position. The motion was second by Dan. The title of the position is Administrative Service Manager. The Board voted and approved unanimously. Data management to be discussed in the next meeting.

**IX. Agenda Item #10 - VCUDA update**

The FCC staff have been asking about how we could deal with some of these off-grid addresses. Discussed the upcoming RFP for BEAD. Talked about the legislature and current bills and how it relates to CUDs. Mentioned the boards in progress policies.

**X. Agenda Item # 12 - Public Comment – none**

**XI. March Special Meetings Scheduling & Parking Lot – Christine Hallquist**

Special meeting to be held at the end of March to discuss Accountability Policy. Next Board meeting to be held April 1, 2024. There will be a 90-minute policy meeting followed by the usual 4-hour board meeting in April.

**XII. Agenda Item # 13 – Added**

The Board went into executive session to discuss Board evaluation and personnel matters.

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