



Board Packet Executive Summary

March 11, 2024

Christine Hallquist, Executive Director

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Board Accountability Policy Review

Toni Clithero will lead this discussion and provide a status update for the Board policies. The Construction Standards policy has been reviewed and we have consensus with the CUDs.

BEAD Potential Subrecipient Support Program – Northwest Fiberworx and Lamoille FiberNet requests

Rob Fish will lead this discussion. Staff recommends approving Potential BEAD Subrecipient Support Grant Program applications from NWFiberWorx and Lamoille FiberNet for a total of \$205,570. These projects align with the goals of the VCBB in providing the necessary capacity to disadvantaged potential BEAD applicants.

Legislative and Budget Adjustment Act Update

The restoration of the \$20 million in the BAA is now headed to the Governor's desk for his expected signature. Gwynn Zakoff will provide a presentation to the Board on the status of the BAA as well as other bills we are watching. This includes an unexpected addition S181 that would provide a \$10/mo broadband subsidy.

Limited-Service Positions (BEAD Funded)

Rob Fish will lead this discussion. Staff had previously discussed with the Board the need for a data person to assist with the Digital Equity plan, along with the need for legal assistance for the General Counsel. These are to be limited-service positions which require approval of the Joint Fiscal Office (JFO). That approval was given to the VCBB by the JFO at their February 27 meeting. Staff is seeking a formal approval for these positions. These positions will be funded through the BEAD capacity grant.

ECFiber additional grant opportunities

Pursuant to the Chair's request, Staff requested that ECFiber provide a PowerPoint presentation outlining its planned agenda item with the Board. ECFiber instead submitted a "Resolution" which is plans to submit to the Board during the March 11 meeting, In summary, the resolution seeks to have the Board acknowledge ECFiber's experience in deploying broadband, the fact that it has incurred more than \$70 million in bond debt in connection with that deployment, and that, as a result, it is unlikely to be eligible for significant BEAD funding. The resolution then seeks to fault staff for refusing to divide the grant into four separate grant agreements, or to approve reimbursement of ECFiber's 2021-present bond payments under the terms of the grant approved by the Board, or to allocate the additional ARPA funds to ECFiber beyond the consensus based formulaic approach agreed upon by all CUDs.

Last Fall, the Board approved a grant to ECFiber. The grant approved by the Board would have completed ECFiber's Universal Service Plan. Note: ECFiber considers Universal Service to be ALL addresses, not only the underserved. The grant was matched with the bond funding that would be used to cover all served addresses. This would avoid substantial overbuild issues and reduce reporting requirements.

After the approval, throughout the Fall and Winter, ECFiber repeatedly tried renegotiating this approved grant with staff. This includes, on January 29th, with ECFiber contacting staff requesting that the grant agreement be divided into four separate agreements to circumvent federal labor requirements. This request was followed by other substantive proposed changes to the Board's grant award, including the request that the grant reimburse ECFiber for the bond principal and interest expenses it incurred from March 15, 2021, over three years prior to the Board's grant award, and/or that Staff allocate ARPA funds that exceed ECFiber's ARPA fund allocation. This was a reiteration of a request that repeatedly denied since the start of the program by both Staff and the State's legal team hired to ensure that ARPA recipient comply. That legal team is GuideHouse.

Staff considers this resolution inappropriate and damaging for several reasons urges the board to vote no or send the resolution back to be vetted through proper channels for the following reasons -

1. Considering a resolution from the public that has not yet been vetted and analyzed by staff is against precedent and opens the door for other requests. Many CUDs have been requesting funds beyond the original share approved by the Board. Members of the public likely also have their own ideas of what the board should discuss and vote on. We discourage potential grantees from "shopping around" the staff.
2. Staff only brings proposals that are legally defensible and aligned with board policy as explained in the RFP.
 - a. ECFiber, along with every other CUD, agreed to the allocation tables (underserved miles per town). That was the time to debate the distribution of the ARPA funds. Staff

refused to bring his proposal forward in the Summer since he requested funds far in excess of the agreed upon monetary allocation. Providing additional ARPA funding for ECFiber would come at the expense of other CUDs.

- b. GuideHouse the State's legal representation for all things ARPA strongly recommended against funding previously constructed networks and forbit the paying of debt. ECFiber also inappropriately attempted to directly contact GuideHouse attorneys.
- c. Staff has also provided and continues to provide hours of advice on other funding opportunities, the best approach to applying for a construction grant, and connections to outside funders.

Vermont Community Broadband Board Meeting
Monday, March 11, 2024, 12:00pm – 4:00pm
AGENDA

Meeting is being held virtually.

[Click here to join the meeting](#)

Join by Phone; [+1 802-828-7667](tel:+18028287667), 32464360#

Note: there may be executive sessions as needed.

- 12:00 1) Call Meeting to Order, Roll Call, Approval of Agenda
- 12:05 2) Public Comment
- 12:10 3) Approval of February 12 and February 6 (special) Meeting Minutes
- 12:15 4) Board Accountability Policy Review - *Toni Clithero (Construction Standards Policy)*
- 1:15 5) BEAD Potential Subrecipient Support Program – Northwest Fiberworx and Lamoille FiberNet application recommendations – *Rob Fish*
- 1:35 6) CVFiber Request for Grant Extension/Tiger Team Update – *Alexei Monsarrat*
- Potential Executive Session pursuant to 1 V.S.A. s. 313 (a)(1)(A), which protects information concerning contracts where premature general public knowledge would clearly place the public body or person involved at a substantial disadvantage.*
- 2:05 7) Legislative Update – *Gwynn Zakov*
- 2:30 8) Limited-Service Position Requests - Legal/Admin Support and Data Management Support (BEAD Funded) - *Rob Fish*
- 2:50 9) Proposed ECFiber Resolution: Request for Additional Grant Funding – *F. X. Flinn, ECFiber*
- 3:20 10) VCUDA Update - *Rob Vietzke*
- 3:40 12) Public Comment
- 3:50 13) March Special Meetings Scheduling & Parking Lot – *Christine Hallquist*
- 4:00 14) Motion to Adjourn

Press inquiries: please contact Heryn Herzog, heryn.herzog@vermont.gov

Vermont Community Broadband Board Meeting
Tuesday, February 6, 2024, 11:00am – 12:00pm
Draft Meeting Minutes

I. The meeting had a delay of ten (10) minutes start time.

II. Meeting Call to Order, Roll Call, and Approval of Agenda

Dan Nelson called the meeting to order at 11:15am and completed roll call.:

- Laura Sibilila (Remote)
- 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)
- Lucie Fortier – Staff (Remote)
- Alexei Monsarrat - Staff (Remote)
- Thomas Malinowski – Staff (Remote)

Dan Nelson made a motion to approve the agenda. Christine Hallquist requested to make changes to the agenda and combine item 4(H.657 and S181 Testimony This Week) and 2 (Budget Adjustment Act – H.839 – Update on the return of the \$20M for BEAD Match) together. Also, move Gwynn Zakov’s presentation (Legislative Update Presentation) first and then do staff recommendations.

Dan approved.

Toni Clithero requested to add public comments at the end.

Dan responded, if there was time.

The modified agenda was approved unanimously.

III. Legislative issue with ACP funding

Christine said the legislature is taking up issue because of the possible ending of the ACP funding. It's created a sense of urgency in terms of asking for the VCBB to come up with some recommendations. Christine asked Gwynn Zakov to present the legislative update. After, Christine stated that staff will make policy recommendations.

IV. Gwynn Zakov – Legislative Update

[Gwynn presented](#) the bills in question, including H.839, H.755, S.199, H.575. S.181, H.657. Holly asked if it was only about the bills mentioned in the agenda. Gwynn answered yes and mentioned that there's overlap on some of the bills that are in one chamber or the other (at the legislature), they're identical bills.

Holly asks where the confidentiality language is. Gwynn responded that it's in the bill or rather in both bills. (H.755/S.199) Gwynn wanted to highlight this for the Board. Holly requested that the confidentiality language be sent to the Board at a future date.

Holly asks Gwynn what is the source of the bill?

Gwynn responds that there are several points of origin and sponsors to the bill.

Holly requests to move into executive session. "I moved to move into executive session on the grounds that what we're about to describe is a strategy position that may or may not impact our ability to follow our grant program. And therefore, premature release of this information might be disruptive either to our strategic position or to our ability to administer our programs."

Toni agrees.

Brian seconds the motion.

Legislative Update Presentation - Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage (1 V.S.A. § 313(a)(1)(f))

Executive session ended at (time). Toni announced they came out of executive session without taking any action and no longer had a quorum of the Board so were going to close the meeting.

Patty made a motion to adjourn. Laura seconded it, and it was approved unanimously.

Press inquiries; please contact Heryn Herzog, Heryn.herzog@vermont.gov, (802) 522-3396

Vermont Community Broadband Board Meeting Monday, February 12, 2024, 12:00pm – 4:00pm

Draft Meeting Minutes

I. Meeting Call to Order, Roll Call, and Approval of Agenda

Patty called the meeting to order at 12:24pm and completed roll call.:

- Patty Richards (Remote)
- Laura Sibilila (Remote)
- 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)
- Lucie Fortier – Staff (Remote)
- Alexei Monsarrat - Staff (Remote)
- Thomas Malinowski – Staff (Remote)
- Stephanie Tuxill – Staff (Remote)

Patty made a motion to approve the agenda. Patty requested a discussion about the February 22, 2024, meeting. Laura Sibilila requested an executive session to talk about personnel. Motion passed. The modified agenda was approved unanimously.

I. Summary of reappointments.

Record of the reappointment of Holly Groschner; status report on the reappointment of Laura Sibilila; election of the Board's Vice-Chair of Dan Nelson. Motion passed.

II. Public Comment

Christa Shute - NEK Broadband commented on the policies and the annual report and the KPIs (Key Performance Indicator) that were discussed in committee with CUDs to obtain an agreement on the set of indicators. There was also discussion of the Digital Equity Plan. Ellie de Villiers commented on the Digital Equity plan and setting expectations with the NTIA (National Telecommunication & Information Administration) BEAD (Broadband, Equity, Access & Deployment) requirements. Also, she noted a possible correction to the annual report.

III. Approval of January Meeting Minutes

Patty moved to approve the January 4, 2024, meeting minutes. Dan Nelson seconded.

IV. Digital Equity Plan Approval – Britaney Watson

Britaney Watson highlighted areas of the Digital Equity Plan draft for Board approval to be submitted to the NTIA by February 12, 2023. The plan includes a digital equity needs assessment, asset inventory and an implementation plan. The plan is written to prepare Vermont for NTIA grant funds for the implementation phase as well for the digital equity plan. The plan will be in the curing process with the NTIA for 45 days, which will end the period of performance on March 28, 2024. Public comments and CUDs' feedback provided by VCUDA are also part of the plan. Reference to the 1% is to be removed from the plan as well the annual report. There was a discussion of the curing period after the plan is submitted and if changes could be made. Clay Purvis, NTIA FPO, provided clarification on the process. The Board requested a paragraph be added about the Board's policies. Patty made a motion that we approve the digital equity plan with the three changes referenced. Laura seconded the motion.

Final drafts of the policies will be presented to the Board for the March 11, 2024, Board meeting.

V. Presentation of GIS Performance Monitoring Services Based on Ookla Data– Christine Hallquist

CUDs will have access to the data and cloud. A discussion was had about the cost of the application, and it was determined to be within budget and justifiably cost for the data obtain. The Board asked for clarification of the usage of the data and if it could be used by third parties. More information will be provided about this.

VI. Key Performance Indicators for Grantees – Christine Hallquist

KPIs will look at both planned and actuals - what are the expenditures, what are the miles built, what are the construction miles. Lit means that it's tested and ready for drop connection. Construction means it's in the air but not necessarily at the planned number of eligible addresses with access to the service plan. And then there's the planned passings that are lit, cumulative total costumers. The reports will be quarterly, but VCBB will be monitoring monthly with the CUDs.

VII. Annual Report Discussion and Approval – Herryn Herzog

Herryn shared a presentation and highlighted key points. The Board will review updated draft by Friday.

VIII. BEAD Subrecipient Support Applications – Rob Fish

Rob discussed the selections that we have made, the recommendations we have made for the first recipients of BEAD Potential Subrecipient Support Grant Program. The goals of the program were to ensure that all types of eligible providers can compete in the BEAD program to encourage collaboration, to promote efficient expenditure of grant funding, to encourage planning to raise the caliber of the applications received, and just to gather information to inform the implementation of the program. There were discussions regarding the sub-recipients, the competitive and award process/approval, and the allocation of funds. There are three (3) applicants.

Holly requested to move into executive session on the grounds that information may be proprietary to one or more of the applicants. Toni agreed. Patty seconded the motion. 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 Holly cited. The trade

secrets exemption is 1 VSA 317, little C 15, and little 9:15 is for negotiations, 9 is for trade secrets.

Patty has left the meeting and appointed Dan Nelson to assume duties as Vice-Chair.

Legislative Update Presentation - Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage (1 V.S.A. § 313(a)(1)(f))

The executive session ended at (2:35). Dan announced they came out of executive session without taking any action.

A motion was passed and seconded by Brian to approve the three (3) applicants.

IX. VCUDA Updates – Rob Vietzke

On January 31st the VCUDA held a legislative day at the state Capitol and met with Senate Finance Committee, House, Senate, Environment and Energy Committee, Lieutenant Governor, the speaker, and several other legislators throughout the day. Rob discussed the various bills in the legislature, as well as on-going discussions about grant process and audit reviews.

X. Public Comment

F. X. Flynn commented on the GIS Performance Monitoring Services Based on Ookla Data and provided clarification on the type of data the application gathered.

XI. Parking Lot – Christine Hallquist

Christine highlighted completed areas and areas still in the works, such as policies.

XII. Executive Session: Holly moved to go to Executive Session. Laura seconded.

Legislative Update Presentation - Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage (1 V.S.A. § 313(a)(1)(f))

The Executive session ended at (3:36). Dan announced they came out of executive session without taking any action.

XIII. Executive Session: Holly moved to go to Executive Session. Dan seconded.

Legislative Update Presentation - Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial disadvantage (1 V.S.A. § 313(a)(1)(f))

The Executive session ended at (4:04). Dan announced they came out of executive session without taking any action.

XIV. Executive Session: Christine announced that the Board was going to Executive Session to discuss personnel.

Legislative Update Presentation - Executive Session - Premature general public knowledge would clearly place the public body, or a person involved at a substantial

disadvantage (1 V.S.A. § 313(a)(1)(f).

The Board meeting will be dismissed because at the point they come out they will not have a quorum.

Press inquiries; please contact Herryng Herzog, Herryng.herzog@vermont.gov, (802) 522-3396

DRAFT

BEAD Potential Subrecipient Support Grant Program

Funding Recommendations 3/11/24

In 2023, the Vermont Community Broadband Board (VCBB) was awarded \$229 million in funding from the federal Broadband Equity, Access, and Deployment (BEAD) Program. In an effort to promote a competitive program, the VCBB established the BEAD Subrecipient Support Program. The VCBB Board has approved \$1 million to provide needs-based grants to Eligible Providers to ensure they have the resources required to participate in the competitive BEAD grant program.

Goals of the Programs:

- To ensure all types of Eligible Providers have the ability to compete in the BEAD program.
- To encourage collaboration among potential subgrantees to promote the efficient expenditure of grant funding. This can lower costs and promote greater oversight and accountability.
- To encourage planning in expectation of the subrecipient selection process raising the quality of applications received.
- To raise the caliber of the applications received during the BEAD subrecipient selection process.
- To gather information to inform the implementation of the program from key stakeholders.

Scoring of Proposals:

o 25 points – Likelihood of participating in the BEAD Program

o 25 points – Extent of Barriers to participation (This can include new market entities, non-traditional entities, entities challenged to meet other BEAD Requirements)

o 20 points – Proposed scope and budget

o 10 points – Evidence of pursuing a collaborative approach or evidence of outreach to communities in the proposed service area

o 10 points – Commitment to provide speeds of at least 100/100 Mbps via a Fiber Optic Connection, participation in the Affordable Connectivity Program, and agreement to meet Outside Plant Design Standards

o 10 points – Provision of required data in the appropriate format. Current Grantees are exempt since data has previously been submitted to the VCBB.

Scoring of Individual Proposals:

NWFiberworX - \$150,000 (Score Avg – 88/100)

Support will fund effort to identify necessary changes to the current network management and operating agreement to reflect responsibilities and additional addresses required to be served under BEAD and necessary for a successful application. Support will also include an analysis of available in-kin match, an analysis of best practices necessary to comply with BEAD, and the start of analysis of expected costs. NWFiberworX will likely return with a second proposal.

Lamoille FiberNet - \$55,570 (95/100)

Support will fund an analysis of the project area to identify BEAD eligible locations (on/off grid), support analysis during the challenge process, evaluate and provide legal analysis of a model that could involve multiple partners to ensure the most cost-effective approach, stakeholder engagement and the drafting of the grant application.

Recommendation:

Staff recommends approving support via the Potential BEAD Subrecipient Support Grant Program for NWFiberWorX and Lamoille FiberNet for a total of \$205,570.

The projects proposed for funding meet the requirements outlined in the request for proposals. These include the likelihood of participation in BEAD, the presence of significant barriers to participation, among others. Additionally, most of the efforts proposed are ready to be executed (i.e. consultants identified). The program will fund modeling, application preparation, match analysis, legal analysis for partnerships and consortiums, and evaluating and updating plans to connect all BEAD eligible applications with fiber.

With the approval of these two applications, total dollar amount committed to the \$1 Million program equals \$651,170 with \$150,000 pending. We expect to review the DVFiber application at a special board meeting in late March and any additional submissions at the April Board Meeting.

Motion: To approve Potential BEAD Subrecipient Support Program awards of \$150,000 for Northwest FiberworX and \$55,570 for Lamoille FiberNet.

VCBB Legislative Update

Gwynn Zakov

March 12, 2024



H.839 – An act relating to FY2024 budget adjustment

7 (4) \$20,000,000 General Fund for the appropriation established in 2022
8 Acts and Resolves No. 185, Sec. B.1100(a)(28), as amended by 2023 Acts and
9 Resolves No. 3, Sec. 45, to replenish the \$20,000,000 of General Fund
10 spending authority transferred by the Emergency Board on July 31, 2023, per
11 32 V.S.A. §§ 133(b) and 706(2), as directed by order of the Emergency Board
12 under Item 5(a) – Business Emergency Gap Assistance Program.

S.199 – An act relating to mergers and governance of CUDs

- Outlines process and procedures for the merger of CUDs
- Permits the annual meeting date to be another date (currently it must be 2nd Tuesday in May), adjust type of fiscal year (currently calendar) and the date of budget approval (currently October 21)
- Allows treasurer to delegate authority of duties if authorized by bylaws or board (Treasurer must maintain accountability and oversight authority)
- Amends PRA as it relates to CUDS to define “confidential business information” to include the operation records of ISPs under contract with a CUD as well as a CUDs deployment plans if public disclosure puts a CUD at a competitive disadvantage. Business records (not governance and informational records,) enjoy a presumption of confidentiality.

S.181 – Acts relating to the Community Media Public Benefit Fund

- Implements an assessment on satellite and video streaming services based off a NY state modelled approach
- Providers pay an assessment equal to 5% of the provider's gross receipts
- Creates a Communications Public Benefit Fund and revenues from gross receipts support the operational costs of AMOs/PEG TV
- Creates a Broadband Affordability Program to qualifying low-income household discounts on broadband service and connected devices modelled after the Affordable Connectivity Program.
 - \$30/month toward internet services, and
 - One-time discount of up to \$100 to purchase a laptop, desktop computer or tablet

H.657 – An act relating to the modernization of Vermont’s communications taxes and fees

- Repeals 2.4% USC for landlines, postpaid wireless, and interconnected VoIP consumers – replaced with a \$0.72 monthly charge per access line
- Adds 988 Suicide and Crisis Hotline to entities funded via VUSF
- Repeals telephone personal property tax and gross receipts tax
- Places “communications property” on the grand list as real property
- Establishes a fee structure for communications service providers using the State’s ROW and requires the AOT to assess the fee by October 1, 2024.

H.657 – An act relating to the modernization of Vermont’s communications taxes and fees

<i>Current and Proposed Vermont Universal Service Fund Resources (in millions)</i>		
Program	FY 2023 Revenue – 2.4% Charge	Estimated FY 2026 Revenue – H.657
Total Revenue	4.95	7.96
Vermont Community Broadband Board	0.82	1.35
Fiscal Agent	0.11	0.13
TRS and Equipment	0.06	0.26
Lifeline	0.15	0.11
E-911	3.80	5.10
988 Suicide Prevention Line	N/A	Up to 1.00
Connectivity Fund	0	Balance of revenues available from uses above

Submitted for Consideration by F.X. Flinn, ECFiber

Whereas ECFiber has been successfully achieving the goals of the ARPA and BEAD programs since 2011, and

Whereas ECFiber has borrowed more than \$70 million in municipal revenue bonds and built over 1,700 miles of network and serves over 8,400 customers and passes more than 24,000 locations including some 18,000 that would otherwise be classified as unserved or underserved absent this work, and

Whereas precisely because so much of this work has been done, and because planning and construction in the 8 new towns admitted during 2020 is so advanced, it appears that ECFiber will see little or no BEAD funding, and

Whereas VCBB staff refused to put forward ECFiber's original construction grant proposed Stage which included compensation for work done after March 15, 2021 to bring service to almost 1,000 un/underserved locations in its District, and

Whereas VCBB staff refused to put forward ECFiber's original construction grant proposed Stage which included compensation for work to bring a small portion of its network up to current specs and resolve a potential gap of about 400 un/underserved locations in its District, and

Whereas VCBB staff has told ECFiber that they are unable to adjust ARPA funding without board approval;

Now therefore be it resolved that the board of the Vermont Community Broadband Fund instructs staff to develop for the Board's consideration at its June 2024 meeting or earlier a minimum of three alternatives, which, if adopted, would enable the board to approve more ARPA-based grant funding for ECFiber. The alternatives must be realistic; the board wants to find a way to increase the amount of grant funding available to ECFiber, whether using the proposed additional stages or simply increasing the ARPA-based funding as currently described in, viz., the RFP for construction grants.

#	Priority	Item	Date entered	Assigned to	Resolution and date
52	2	Is Ookla data sold to third parties? Do users have an opt-out?	02/12/2024	Toni	
51		Application scoring criteria policy	11/13/23	Staff	Awaiting approval from the NTIA.
35	1	Patty Richards to lead the Board in a response to the auditor's report	04/10/23	Dan Nelson/Christine Hallquist	Completed response, Currently awaiting finalization of Board Policies.
37	1	Develop Construction Standards ¹	07/18/23	Dan Nelson/Christine Hallquist	Submitting for approval at 03/11/2024 meeting
39	1	Develop Grantee agreement that VCBB will operate the system in the event of failure to comply	07/18/23	Christine Hallquist	This will follow the Lien policy that is being revised.
40	1	Develop Lien for the VCBB funded network and components ²	07/18/23	Holly Groschner/Christine Hallquist	Policy is in revision
41	1	Policy for certification of Grantee compliance to Performance and Operating Standards	07/18/23	Christine Hallquist	Key Performance Indicators were presented to the Board for approval at the 02/12/24 meeting. Further discussion is needed. This continued to be a topic for the Construction Standards policy group.
38	1	Annual Report Submission List ³	07/18/23	Christine Hallquist	Included in the Board Policy that will be submitted for approval at the 2/12/2024 meeting
48		Policy development Timeline, if needed	11/13/23	Patty	Complete

¹ Include open architecture policy, safety, reporting process on compliance and detailed description for each attribute. Staff process required for compliance to Board policy.

² Include sunset provision for the Lien

³ Identify all criteria, including how to address affordability, geographic diversity, Universal Service, operating standards, and reliability. Staff process required for compliance to Board policy.

47		Process for Approval of Working Group Policy drafts	11/13/23	Rob V/ Patty	Complete
44		Letters/memos to House and Senate Appropriations Committees		Christine Hallquist	Complete
42	1	Produce an overlay of the BEAD and ARPA timelines and the grant request timelines in the upcoming work of the Board.	09/11/23	Board	Complete
49		Develop an RFP for Government Affairs to bring on someone prior to January 01, 2024 and determine funding source	11/13/23	Staff	Completed
43	1	Propose strategy for Government Affairs	09/11/23	Christine	Completed- Government Affairs contractor hired – will tailor strategy suited for individual committees
45		Revise September 11 meeting minutes	11/13/23	Staff/	December meeting
46		Create folder on VCBB website for Board Policies, starting with Ex parte Communications	11/13/23	Patty Richards	Patty sent memo to Board members
36	1	Determine what restrictions exist for ex parte communications	07/18/23	CH	Passed policy at 09/11/23 meeting
26	1	Establish policy to address issue of enforceability with any of the partners and the CUDs.	8/22/22	CH	Policy discussion to be held at 4/10/23 meeting. This is now part of the Board Policy discussions related to the Auditor's report.
29		Include placeholder for budget update, dashboards, and policy	11/03/22	CH	Budget and Dashboards addressed at January and February Board Meetings

		and goals discussion to all Board Meeting Agendas			Christine will confirm with Patty what Board expectations are for the policy and goals discussion
24	1	Invite to the Federal Delegation to future Board Meeting	8/8/22	CH	Delegation will be invited to the January Board meeting
22	3	VCBB's approach to mapping and strategy for challenging the FCC.	6/14/22		Presented initial strategy 12/12/22. A Federal Program Officer at the NTIA will be needed to work on this with and that has finally been announced as Clay Purvis from the Public Service Department. He will be invited to January meeting.
28		Finalize subsequent overbuild policy and data policy.	10/31/22		This is addressed in the VCBB Data and Overbuild Policy submitted to the Board for continued discussion at the 12/12/22 meeting.
32		Alignment of VCBB Mission Statement based on Act 71	11/14/22	CH	Patty Richards to lead this 12/12/22.
25	2	Host workshop for the CUDs on Uniform Guidance	8/8/22		Completed December 7th
30		Adjust timing of Board Packet to at least 5 business days before the Board Meeting	11/03/22		Plan to start new schedule in January
33		Create a Communication Procedure Plan for Board notifications of updates from Staff (press releases, legislative presentations,	11/14/22		Completed in the November 28 Board meeting.
34		Discussion regarding development of a separate website			Staff recommends we continue with the current website which follows state protocols.

27		Board requested that a grant agreement template be shared	10/31/22	CH	Item closed – agreement was shared
23	1	Define audit criteria and post award grant reporting and review process for grantees/CUDs	8/8/22	CH	Item Closed - Compliance Recommendation Memo presented October 31 st . Additional reporting requirements will be shared once the new form is updated and staff will create a dashboard for tracking.
18	1	Signature Authority of Executive Director	03/28/22	CH	Closed. Approved in July.
19	1	Policy around hiring staff	03/28/22	CH	Closed. Approved in July.
21	1	Invite to Doug Farnum to future Board Meeting	6/14/22	CH	Attended August 8 th meeting.
20	3	Recommendation for designation of an entity for Digital Equity & Affordability Office	03/28/22	board	Closed. This is being addressed by the Governor's office per a directive from the NTIA. This falls into the responsibility of the VCBB as a subset of the IJA program.
8	2	Policy on "Material Default" see §8086(c)(2)	11/1/21	CH	Closed. Issue has been resolved through legislation.
5	3	VCBB Dashboard – to be shared monthly to show progress. What are the milestones?	11/1/21	CH	Closed. Stone Environmental has presented its proposal and the software platform meets the needs.
16	1	Provide Board with impact of Commitment letter	02/14/22	CH	Closed with material pre-purchasing proposal.
17	2	Statewide marketing collaboration with VCUDA	02/14/22	CH	Closed. VCUDA is not interested.
15	2	Provide Benchmarks for what telecom companies spend on Marketing	02/14/22	CH	Will research and present back on 3/14/22 Board meeting
1	1	Budget	10/18/21	CH	Completed. 2021 budget approved. 2022 will be presented in March.

2	1	Overbuild – what is the standard (20% of total served?)	11/1/21	CH	Completed. See Construction RFP Definition
3	2	Business Plans – what is the scope? Will they be updated before construction grants?	11/1/21	CH	Completed. The updated business plans will be included in the Construction RFP responses.
6	3	Fiber purchase – VCBB involvement? authorization? Status?	11/1/21	board	Completed
7	1	Make Ready Construction – policy: part of §8085 grants or not?	11/1/21	RF	Policy established. Make ready construction will be part of the construction grant program.
9	2	Revisiting timeline for VCBB – construction RFP & reporting timelines	11/22/21	CH	Completed. Part of the construction RFP. RFP approved by the Board on 01/03/22
10	2	Sequence assumptions for preconstruction and construction & reporting timelines	11/22/21	CH& board (LS)	Completed. Part of the Construction RFP. RFP approved by the Board on 01/03/22
11	2	DPS 2021 Map – Unserved	11/1/21	CH/Legal	Completed
12	1	Confidentiality. Grant Agreement Art 5 (state standard). Is the product of a grant a “public document” – e.g. will we post construction plans?	11/1/21	Board LS/HG	The RFP and construction schedules will be public.
13	2	USP & contiguous CUD construction- policy	11/22/21		Completed. Addressed in the Construction RFP.
14		Legislative Consideration – Purchase of consolidated services/goods	11/29/21		Not needed.