

**Vermont Community Broadband Board Meeting MinutesMeetings
are being held virtually.
May 23rd, 2022**

I. Call To Order – 1:41pm

Roll call completed by Patty Richards

Patty Richards, Chair (Remote)
Brian Otley (Remote)
Dan Nelson (Remote)
Laura Sibilia (Absent)
Holly Groschner (Absent)
Christine Hallquist - Staff (Remote)
Stan Macel – Staff (Remote)
Alissa Matthews – Staff (Remote)
Robert Fish – Staff (joined at 2:30)

II. Review of Agenda

Patty Richards made a motion to approve the agenda. Brian Otley seconded, and the motion was unanimously approved.

III. Approval of Meeting Minutes

The Board discussed the May 16th, 2022 draft Board Meeting minutes. Patty Richards made a motion to approve the minutes. Dan Nelson seconded, and the motion was unanimously approved.

IV. Public Comment (continuation from May 16th Meeting)

One member of the public provided input:

- Irv Thomae shared his perspective on Mr. Clark’s presentation from GoNetspeed (Otelco), and stated that there may have been some misrepresentation or confusion around ECFiber’s RPU and the number of customers needed per mile between the two models don’t match up.

V. Staff Updates

Christine Hallquist shared an overview of the Governor’s press conference where the VCBB announced the first two Act 71 Construction Grants that were awarded to Bolton and NEK Broadband where a number of press outlets were in attendance. She also provided the update that the Governor appointed Doug Farnum from Finance and Management as the lead for Vermont’s upcoming IIJA programing and suggested inviting him to the next Board Meeting. Patty Richards confirmed that it would be great to have him join on June 6th.

Christine and Patty also discussed that it would be good to push out the numbers as progress continues and as we lead into the construction grants. The VCBB team confirmed they will find a way to include current progress into the tracking system that is being developed for reporting.

Stan Macel shared the fact that things are quieting down now that the Legislature wrapped up last week. He also shared that VCBB Staff have been providing support to Maple Broadband and GoNetspeed (Otelco) and will be hosting an informal mitigation meeting with all of the parties next week to try and find a mutually beneficial solution.

Alissa Matthews also shared that she was out of the office completing a Project Management Training last week and appreciates the support to do that from the VCBB.

VI. FY23 Budget Discussion

Christine Hallquist shared an overview of the draft Capital and Operations Budgets for FY23 and the importance of getting results by next year. Patty Richards asked if it is the VCBB's goal to obligate all Capital dollars the VCBB has access to by the close of FY23. Christine confirmed that is the timeline we are working on for having the CUDs start construction and that the program is on track to have made significant progress by the end of the year. Christine also highlighted the need to expand capacity of the VCBB Staff. She shared that five positions were approved by the legislature so that Vermont can access as much of the IJA funding as possible to have continued funding available for the CUDs following the current round of funds. She explained the VCBB Staff's most immediate need is an Administrative Coordinator that can ensure invoices and funds obligated and spent are monitored and reported more efficiently than the team can do using the finance systems currently in place especially considering the pace and amount of this level of funding. Christine also provided an overview of the anticipated contracted services that the VCBB plans to bring on to help supplement the team's capacity and provide assistance in specialized areas. Patty Richards asked how the contingency was calculated and Christine responded that it was purposefully low since this will be consultant contracts. Christine also discussed the Training and Education Budget which will cover professional development for Staff and CUDs, training for Board, and workforce development for the labor needed to implement the statewide construction projects.

Christine and Patty discussed the plan to continue discussing the budget and get approval before the end of the FY22 at the end of June.

VII. BEAD Presentation

Christine Hallquist provided an overview of timeline and other details that have now been provided through the BEAD and Digital Equity Notice of Funding Opportunities (NOFO), including:

- the challenge process that the FCC has set up, that will likely go through the PSD and then a secondary challenge process that the VCBB will be required to implement before receiving any BEAD funds
- the goal is for the BEAD funding to allow for continued cash flow for the CUDs to not interrupt construction
- the Digital Equity NOFO includes a planning round, an implementation round, and a competitive round that any applicant can participate in, including EAB

Stan Macel followed up to provide a few issues that VCBB Staff have identified so far while reviewing the NOFOs including lack of details around a low-cost option requirement, a Letter of credit requirement, limitations regarding incidental overbuild, conflict with ACT 71 restrictions on private providers, RDOF limitations on use of funds, and more details needed on the waiver process that is available.

VIII. VCUDA Update

F.X. Flinn was not present and so a VCUDA update was not provided.

IX. Public Comment (new topics from the current meeting)

Two members of the public provided input:

- Irv Thomae continued his comments in relationship to the GoNetspeed (Otelco) appeal and his hope that details of the situation would be seriously considered because it seems to be a

perfect example of cherry picking by the incumbent and it would be his recommendation that the appeal is denied because of the risk it adds to the CUDs model. Brian Otley asked why Irv considers it an example of cherry picking and Irv responded that it is because they have proposed work in the four towns that make Maple Broadband's Business Plan strongest with the highest likely take-rate.

- Ann Manwaring shared the perspective from DVFiber that direct competitors have the same potential impact on all of the CUDs and so the outcome from this first instance will be important to all of the CUDs and their ability to fulfill their Act 71 obligations.

Patty Richards closed the public comment session and discussed the role Dan Nelson would play in the upcoming negotiating meeting. Brian Otley shared that his feeling is that Dan will be providing expertise to try and help the parties work towards a solution.

X. Parking Lot

Christine Hallquist shared the two remaining items in the Parking Lot: Signature Authority of Executive Director and the policy around hiring staff, and confirmed that those will be addressed at the June 6th meeting.

Patty Richards mentioned planned time off and asked everyone to submit their summer availability so the Board and Staff can plan accordingly.

Patty Richards made a motion to adjourn. Brian Otley seconded, the motion was unanimously approved, and the meeting was adjourned at 2:51pm.