

Vermont Community Broadband Board Meeting
Monday, July 8, 2024, 12:00pm to 4:00pm
Meeting Minutes

1. Call Meeting to Order, Roll Call, Approval of Agenda

Chair Patty Richards called the meeting to order at 12:03pm. In attendance:

- Patty Richards
- Holly Groschner
- Laura Sibia
- Brian Otley
- Dan Nelson (Not present)¹
- Christine Hallquist - Staff
- Rob Fish – Staff
- Toni Clithero – Staff
- Kristina Sweet – Staff
- Alissa Matthews – Staff
- Alexei Monsarrat – Staff
- Britaney Watson – Staff
- Heryn Herzog – Staff
- Lucie Fortier - Staff
- Ginny Raboin – Staff

The Chair moved to approve the agenda, seconded by Mr. Otley and asked for any discussion. Ms. Sibia requested, and the Chair approved, the addition to the agenda the location of in person VCBB trainings. Ms. Richards stated she would add it just before approval of the minutes at 1.1. With no other changes, on a vote of 4-0 the addition was added to the agenda.

1.1 Location of VCBB Trainings- Ms. Sibia asked staff to hold future in person trainings in a central location such as Randolph or Montpelier, and to look at the possibility of changing the location for the Workforce Development workshop, if possible, rather than the Burlington location employed for the Alternative Technologies technical conference VCBB hosted on June 28, 2024. The Chair recommended staff to use the Montpelier location as it is a state facility and can handle the attendance virtually as well as in person.

2. Minutes Approval – 6/10/24 The Chair made a motion to approve the minutes seconded by Ms. Sibia and opened the item up for discussion. Ms. Groschner noted there are so many to do's and asked for a status report. She also expresses confusion with respect to the wording of the motion drafted during the June 10 board

¹ Mr. Nelson was on vacation.

meeting on the formula for estimating the allocation of the \$30M appropriated by the General Assembly to be used as match for federal broadband grant programs. Ms. Sibilina stated there was a lot of time spent at the last meeting creating the motion, correcting the minutes isn't the proper action, a new motion is needed. A discussion ensued regarding the wording of the motion. Ms. Richards postponed the approval of the minutes until after item 6 and directed further discussion to take place with respect to Agenda Item 6 concerning the formula for the estimate. Ms. Richards called the vote to approve the minutes with Ms. Richards, Ms. Groschner and Ms. Sibilina voting Nay and Brian Otley abstaining since he was not at the previous meeting; the motion to approve the minutes was voted down.

3. Public Comment- Ms. Richards opened public comment and asked Ms. Hallquist to facilitate, noting that Ms. Richards had to step away for a minute. Ms. Hallquist called on Mr. Flinn, EC Fiber, who advised he preferred to speak when Ms. Richards returned. Ms. Schute, NEK Broadband stated she wanted to clarify the work around digital equity. Specifically, NEK Broadband helped to fund the development and brought forward a coalition to reflect the state as a whole, noting that Vermont is often overlooked due to the population. Ms. Schute encouraged working together to make sure that this nationwide competitive grant of \$1.25 billion for digital equity could reflect the entire state. Ms. Schute asked that anyone interested reach out to her so that all parties can be brought together and represented. Providing the web address for NEK Broadband <https://nekbroadband.org> or through VCUDA. Mr. Flinn of EC Fiber stated that Act 71 does not support the idea that affordable broadband is the primary goal of that legislation. Mr. Flinn indicated Act 71 formidably means affordable enough to attract customers to sustain the network. Mr. Flinn went on to state in 2008 there was no affordable broadband in his service area, which meant a minimum charge of \$72 with 5 over 5 service for an average of 6 customers per mile, with no increase in cost. Mr. Flinn stated the goal of the board is to build fixed broadband that passes everyone and is sustainable. Mr. Flinn went on to state that he felt the board should not be spending time on an affordability policy and instead should use its convening authority to bring together stakeholders, government and social service agencies to develop the Vermont definition of broadband affordability and method of which it might be accomplished.

4. BEAD Timeline Update- Alexei Monsarrat (BEAD Project Director)- Mr. Monsarrat reviewed the [BEAD Estimated Timeline as of 6.27.24](#) advising staff is in the final process of getting the challenge data corrected and approved by the NTIA. The information in the timeline is dependent on the NTIA approval of the challenge data and volume two. The planned date on the timeline is late July to award federal match program funds. This needs to be completed prior to the subrecipient program being opened, which would happen potentially in late August. In the interim there will be some training provided so everyone understands the necessary steps. Pre-proposals may be received in late August into September, which will help to

determine the final project areas. The applicants need to express interest in participating in the BEAD bidding process, and potentially suggest adjustment in those areas which VCBB will evaluate and determine if action is needed. Early October is when full proposals need to be submitted. Staff will review the proposals over the following month (November). Once complete the staff will create the final proposal and submit it to the NTIA. Once approved, staff would then distribute funds. Ms. Groschner then asked for clarification as to why the ARPA quarterly reporting deadlines are in the BEAD timeline? Mr. Monsarrat responded that this once was a multi-use document, therefore, staff opted to leave that in for awareness only. Ms. Sibilina asked what the anticipated period of time will be from when the RFP is issued and when the submission date will be due? Mr. Monsarrat clarified that staff is calling the request for applications an RFA since staff have other RFP's with similar names. The RFA will be posted as soon as volume two is approved by NTIA. If the VCBB does not get approval in a timely manner, the timeline will need to be shifted. Ms. Sibilina asked if there are any potential delays given the upcoming election. Mr. Monsarrat stated there has been no guidance from NTIA at this time. Clarity around funding for planning and to ensure reliability is another consideration when building the timeline.

5. Affordability/Digital Equity- Britaney Watson (Digital Equity Officer), Toni Clithero (General Counsel)-

- a) Other State Approaches to the Loss of ACP Ms. Clithero advised there was a letter in the board packet titled [State Activity Post-ACP](#) which describes the preliminary approaches taken by certain states in response to the loss of the Affordable Connectivity Program (ACP), describing four categories of response. First New York, North Carolina, Pennsylvania) introduced legislation to create state-level replacements for the ACP. Other states, such as Connecticut and California, are pursuing a contractual requirement for a low-cost option. Ms. Clithero noted that, for example, under the terms of the VTBEAD program, Vermont is essentially imposing a contractual requirement for a low-cost plan option of between \$30-\$75. Third, another approach is a legal mandate, such as New York's Affordable Broadband Act, which requires a \$15 per month plan at 25 mbps. Fourth, some states are exploring reforming the Lifeline, one of four programs funded through the FCC's Universal Service Fund (USF). In Vermont, both BEAD and the Digital Equity Capacity grant include address affordability. The BEAD scoring rubric emphasizes affordability and requires subgrantees to demonstrate a commitment to reinvesting revenue.
- b) Affordability in the Digital Equity Context Ms. Clithero noted that although the [PEW letter](#) refers to affordability subsidies with respect to the Digital Equity Capacity grant program, in discussing the issue with the VCBB Digital Equity Officer, Ms. Watson clarified that the subsidy is not for affordability of internet service plans like ACP, but is instead intended for the projects that are planned as part of the Digital Equity program. Ms. Sibilina stated she had disagreements with the slides [Ms. Clithero provided](#) which talk about the law she helped to author. The Chair deferred that discussion until Ms. Watson had an opportunity

to present. Ms. Watson reported the implementation phase of the Digital Equity Plan (DE Plan) may begin as early as September 2024 based upon VCBB's receipt of the anticipated tentative allocation of \$5.3 million through the DE Capacity Grant. Ms. Watson indicated her focus is on the accessibility and affordability of devices, digital skilling and technology support. Ms. Watson shared the slide from her [May 13, 2024](#) presentation, which lists five program strategies to meet the goals identified in the DE Plan to bridge the digital divide. Ms. Groschner noted a recent article in Vermont Digger, republished in the White River Valley Herald, which discussed the loss of the ACP and characterizes the VCBB the DE Program as a plan to provide reliable and affordable broadband service to all who choose to get it. It goes on to state the CUDs are scrambling to fill the hole left by the ACP and that the VCBB is addressing the digital divide with a \$5.3M federal equity grant focused on affordability, accessibility and digital skills. Ms. Groschner asked Ms. Watson to confirm that the \$5.3M is really focused on technology and skills rather than on the affordability of internet service plans. Ms. Watson concurred with Ms. Groschner's statement noting that all of the planned initiative depends upon Vermonters being able to afford their internet service plans. Ms. Groschner thanked Ms. Watson for making that point and stated it is implied the ACP is gone and VCBB has this \$5.3M to fill in, which is false. Ms. Hallquist reported staff will work to clarify this with the press.

Board Authority to Issue Affordability Policy Ms. Clithero shared her May 9, 2024, [memorandum](#) to the Board and a PowerPoint summarizing the Board's authority to issue an affordability policy. She proceeded to review the PowerPoint slides, [The Board's Role With Respect to the Affordability of Broadband of Broadband Service Plans](#). Ms. Clithero began reading her slides, noting her recommendation that the Board consider the affordability as a requirement under Act 71 and that it is also consistent with BEAD for the board to develop an accountability policy that promotes affordability of broadband service plans. Ms. Sibilia objected to the term "requirement" stating that affordability is not a requirement of Act 71. Ms. Groschner clarified it is not a requirement, but it is within the board's authority. Ms. Clithero stated the provision of Act 71 cited on the slide referred to the granting of authorization to the board to develop a policy indicating the legislature had identified the issue and noted it was not one of the policies mandated by the legislature. The provision authorizes the VCBB to develop the affordability policy and/or go to the legislature to seek a program that addresses affordability. Ms. Sibilia stated it was important to use accurate terms, saying that Act 71 requires this is inaccurate. She did not concur with Ms. Clithero's assessment and stated that she spent hundreds of hours working on this in the legislature. Ms. Groschner noted it doesn't change the legislation. Ms. Sibilia interjected that she wrote the legislation, and that many involved in this meeting were a part of the legislative process. Ms. Groschner stated the issue is what the legislature passed in its final form. Ms. Clithero noted her analysis concerns the final legislation passed by the legislature. Ms. Sibilia stated using the word "required" felt compelling in a way that the legislation is not. She asked the actual language be used. Ms. Richards agreed with Ms. Sibilia that it's not a requirement, but the statute is the enabling legislation that supports VCBB for taking action on developing certain policies and one of those policies is consumer

protection standards, another policy is construction standards, and another is affordability. The key word is enabling versus required. Ms. Sibilia stated once the word “required” is changed to enabling that there will be no argument from her. Ms. Richards said the legislation provided enabling language for the board to take action on certain policies, one being affordability. It has been discussed over the last few years that an affordability policy would be developed. Ms. Clithero apologized stating the intention was not to say the statute mandates the board to create the affordability policy. Ms. Sibilia continued to counter with her position that it is not a requirement. Ms. Groschner offered her understanding that Ms. Clithero used the word requirement as part of ingredients to a menu and stated that a legal opinion cannot be changed by fiat, and it is up to Ms. Clithero to decide the modifications. Ms. Clithero advised she would be happy to do that, that she understood Ms. Sibilia’s concern and that she was not intending to convey a mandate. Ms. Richards read an excerpt from Ms. Clithero’s memo which stated Act 71 does not mandate the board to develop an affordability policy. It does characterize the development of an affordability policy or program as an “necessary and convenient to carry out an effectuate the purpose, purposes and provisions” Ms. Sibilia suggested counsel check in with Legislative Counsel about legislative intent. Ms. Richards supported Ms. Clithero’s intent was not to state that the board was required, Ms. Clithero was using the word required in a different context. Ms. Sibilia stated the excerpt Ms. Richards read of Ms. Clithero’s memo was the section she believed to be incorrect. Ms. Sibilia stated she was happy to go through every instance of the word or sit down with Ms. Clithero to review each section or reach out to the Legislative counsel. Ms. Clithero expressed confidence in her analysis and would address Ms. Sibilia’s concern about the use of the word required. Ms. Sibilia stated she would draft a memo detailing her concerns and send it to the board. Ms. Richards indicated she felt Ms. Clithero’s memo was appropriate and squarely characterized that the board has enabling legislation and can develop policies if they choose around affordability within the confines that Ms. Clithero put in the memo. Ms. Sibilia indicated that her recollection as the author is very close to what Mr. Flinn had stated and is not opposed to developing an affordability policy. Ms. Sibilia stated that her intent is to clearly support Mr. Flinn’s characterization of affordability as coming after the phrase “access to reliable services”, noting that, as Mr. Flinn pointed out, access is the priority because there is no service without access.

Ms. Clithero continued in the presentation, outlining the purpose of ACT 71, and advising that the overall purpose of the legislation is to achieve the State’s goal of providing everybody with high-quality, reliable broadband that they can afford and empowers the board to develop policies or recommend a program to promote access to affordable broadband service plans. Ms. Clithero noted that Act 71 mandates that the board prioritize the affordability of broadband service plans.

d) Affordability Under VTBEAD Ms. Clithero shared the affordability criteria under VTBEAD², stating the scoring is dependent on providing a commitment to providing the most affordable long term total price to the customer for one gigabyte in a proposed project area and 100/20 for last mile broadband projects. Ms. Clithero stated that the 31 points that VCBB assigned to affordability represents 40% of the total 75 points comprising the primary criteria. Ms. Clithero continued to describe the VTBEAD affordability criterion, noting that it requires a demonstrated commitment to reinvest revenue into increasing efficiency and ensuring that rates remain affordable over the lifetime of the funded network or 20 years, whichever is greater, and that by way of example, this could be demonstrated through a business structure that limits the network's profit or commits to stable or decreasing prices over the life of the funded network or 20 years, whichever is greater. Ms. Clithero characterized this as a very strong statement in the VTBEAD program, representing 40% of the total points available for the primary criteria. The Chair asked where 40% came from. Ms. Clithero advised that 75 points make up the primary criteria, noting that Mr. Monsarrat would be in a better position to describe the entire scoring rubric, that the BEAD outlay is the most important criterion with 31 points, affordability was given 30 and the remaining 14 points have been allocated to fair labor standards. The Chair again asked where the 40% number came from and the Executive Director asked Mr. Monsarrat to take the question. Mr. Monsarrat stated that he thought the Chair was asking how VCBB arrived at that or if it was a BEAD directive. He advised that the affordability issue is an NTIA requirement and that VCBB's only nuance on that, noting that Lucy Rogers (the primary author of the document) was very careful about this when they were working on it, and that the "now and into the future" was the only Vermont language. Thus, he indicated that VCBB used the number provided by the NTIA. Ms. Clithero continued by addressing that the VTBEAD program also requires all projects to provide a low-cost option, originally \$45 and now \$30 in the wake of the loss of the ACP. Through various proofs and evidence, the \$30 amount may be waived up to a limit of \$75. This must be annually certified by the VCBB. The requirement persists over the useful life of the funded network or 20 years. The Chair noted that this appeared to sum up the statutory context and offered an opportunity for questions providing that these questions allowed for the Board to move forward productively. Additionally, the Chair asked, specificity and that disagreements be stated in terms of the content, noting that Ms. Sibia had expressed that she would be putting together a memorandum, asking that we not hold a major debate. Ms. Groschner asked Ms. Clithero whether she agreed with Mr. Flinn's statement that Section 8086(g) of Act 71 is controlling to the point of being the priority over the rest of the statute, to which Ms. Clithero responded no. Ms. Groschner reiterated her commitment to affordability and accountability for the hundreds of millions of grant funds and her concerns about controls and the need to scrutinize the business plans of CUDs to identify the rate structure that is going to allow for a sustainable business mode. Mr. Otlely stated that he believes the Board has exhausted the productive use of the discussion and that while he considers this a worthy discussion for an

² Vermont Broadband Equity, Access, and Deployment Program

offline session to see if the Board can reach a consensus. The Chair thanked the presenters and advised that she would reach out to the Executive Director to figure out next steps on some further dialogue on the issue.

- 6. Match Estimation Summary Statement -Rob Fish, Alissa Mathews, Stone Environmental Summary of Technical Approach to Estimate and Award BEAD Match to Eligible Providers under Act 71- Executive Session - 1 V.S.A. s.313(a)(1) (A), authorizing a public body to hold an executive session after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage.** Ms. Richards asked for an explanation on the appropriateness of executive session for this topic. Ms. Clithero explained that the financial numbers in the proposal are confidential and fall under the contract negotiations exemption under the Public Records Act and Open Meeting Law. Ms. Hallquist noted that a bidder could take the numbers and figure out what a competitive bid would be, which creates an unfair bidding process. Ms. Richards clarified that for anything that is general and not confidential, she wanted to remain in public session. Mr. Fish stated that letters were sent out to eligible providers, responses were received, and staff have put that information into the model. Ms. Groschner asked Mr. Fish, since he took on the task of contacting all eligible providers, can you confirm that you didn't only contact grantees? Mr. Fish responded stating that this was all eligible providers with universal service plans that have been approved, so that these were the only grantees that had been approved by the board for ACT 71 Universal Service Plan. Ms. Groschner asked for how many intentions to participate had Mr. Fish received? Mr. Fish stated approximately 5 responses. Ms. Richards made a motion to go into executive session per 1 V.S.A. s.313(a)(1) (A), *authorizing a public body to hold an executive session after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage* seconded by Ms. Groschner, motion carries 4-0. The board went into executive session at 1:50pm and returned at 2:56pm with no action taken. Ms. Richards stated the board will follow up with a second meeting in July to review in detail the formula presented.
- 7. Ookla Update – Alissa Mathews, Stone Environmental-** Ms. Mathews reported that the VCBB has been collaborating with South Carolina, who developed a way to utilize the Ookla BEAD test data for updated performance monitoring which will allow tracking progress for grantees, in real time with other federally funded project areas. Mr. Floersch of Stone Environmental presented [Ookla Tracking Update](#) that outline show the VCBB will be tracking network growth and performance using data from Ookla. The team lead in South Carolina, James Stritzinger, is helping Vermont through this process. The data will be used to show where people are connecting and at what speed. This will be done as passive monitoring of the growth of

connectivity across Vermont. The data will go directly to VCBP as opposed to having the CUD's or ISP's collect and report. This information will be filtered to only provide CUD and grantee information and progress. Ms. Groschner asked if somebody could use a cell phone to run tests. Mr. Floersch stated this dashboard works with an app on your phone or through the website and your IP address is recorded. That is how they know if the newly installed fiber is functioning and what provider you are using. There are securities in place to hinder individuals from running tests over and over. The system will need to be set up using a phone or other mobile device. Ms. Richards shared concerns regarding data privacy and asked if Ookla was able to data mine by IP address. Mr. Floersch reported from the IP address they cannot specifically see what you are doing while you are doing the speed test. They will only know the location, speeds and service provider. There is also an option to rate the service provider, which is not required as part of the test. Ms. Clithero confirmed that any other third-party data mining is unavoidable which is why VCBP contracted with Stone and not Ookla directly.

Return to Agenda Item 2, Minutes revisions to motion concerning BEAD match estimation formula- The "adopted by a third party" language will be deleted as VCBP is no longer intending to use the Vernonburg model. A discussion ensued about the language of the motion. The Chair asked Ms. Raboin to set another agenda item so that the language of the motion may be modified offline.

8. **Update on ARPA SRF Obligation – Rob Fish-** Mr. Fish reported that a letter regarding the match program went out as well as asking for letters of intent to the previous grantees to use their ARPA allocations. Staff have received letters back from all of the CUD's and Act 71 grantee WCVT that they are intending to submit applications for all or some of the remaining funds. Some applications could be ready for August board meeting. Mr. Fish advised If the board approve the applications coming in and if the applicants ask for the full amount, the remaining would be \$2.6 million of ARPA SRF funds. Ms. Richards confirmed there would be \$2.6 million remaining that the board would need to allocate. Ms. Richards asked Mr. Fish to provide a suggestion of what to do with the \$2.6 million in the next regularly scheduled Board meeting.
9. **Board Process update/Parking Lot- Toni Clithero and Ginny Raboin-** Ms. Raboin outlined her function is to collect, organize and monitor the status of the [Parking Lot](#). There are three categories of assignments: Parking Lot items specifically requested by the Chair to the Executive Director, Action Items representing individual board member assignments to Staff and Staff Assignments. She reported that she is prioritizing tasks from newest to oldest and including time sensitive matters as necessary. She will be using Microsoft Planner to create tasks, timelines and priorities for Staff, and will follow up with Staff prior to the board meetings. Ms. Raboin recommended to the board Action Items continue to be added to the [VCBP Parking Lot](#) in an effort to centrally locate all tasks. Ms. Richards indicated she believed that all action items should be on the parking lot. Ms.

Richards indicated that any board member can add to the parking lot, not just the chair. Ms. Groschner asked how it would appear if the completed items would continue to be shown. Ms. Raboin advised the parking lot will show on the far-right column action taken, date and status of completion. Ms. Groschner received confirmation from Ms. Raboin that the Parking Lot also includes the need for a legal memorandum on the standard items needed for a merger.

10. VCUDA (Act 71 related) Update- Rob Vietzke reviewed that the CUD's are working to reach the unserved and underserved addresses in other states and that it is the intention to use line extension programs to serve a few addresses. Vermont chose to create entities to receive grant funds to support the most expensive and hardest to serve addresses that can negatively impact the business models and impacts affordability. Mr. Vietzke spoke about the digital equity competitive grant program and indicated he expected to see a NOFO within a month. VCUDA is working with stakeholders to determine next steps. Once the NOFO is received, they will be able to have more information regarding eligibility, the process and timeline. Mr. Vietzke advised that the evidentiary portion of the CCI docket related to the sale of Consolidated is happening. The key point is providing information to state government information to better understand what portion of the new holding company will be investing in Vermont and as the volume of activity increases in Vermont VCUDA will ask for concerns of make ready and preparing the poles for broadband deployment are part of the investment strategy for the state.

11. Public Comment- Ms. Richards opened to public comment. Mr. Vietzke from VCUDA commented on the timeline in the slides presented earlier stating that it seemed aggressive between the date of releasing the RFP and submitting an application. He went on to share that the timeline showing staff would be able to evaluate, score make recommendations and complete a final proposal to the NTIA seemed aggressive and asked for a future presentation to talk about what the process is for asking for an extension and timeline on the final selection.

Christa Schute, NEK Broadband commented on the discussion around affordability. She made the distinction between developing a policy versus recommending to the General Assembly a program. She went on to state the importance of the language in the statute 30 V.S.A. § 8084(a)(6)(F), which speaks to the discretionary authority of the board to develop policies or recommend programs to the General Assembly. Ms. Schute continued to state that as the policy is being developed, or if it comes into existence, the degree to which it creates programmatic requirements, would determine the recommendation to the General Assembly.

Lisa Birmingham, asked for the information regarding the next steps on the affordability discussion and policy. She is unclear about the process and is willing to submit additional written comments or analysis if needed. Ms. Birmingham stated

slide 20, 30 V.S.A. § 8086(b)(6) citation is advising the board to prioritize construction grants that provide affordable service options, turning it on its head by saying everyone has to offer a low-cost option as that is problematic. Ms. Groschner responded stating she held a meeting to discuss baseline concerns, there were revisions made and the policy is shrinking. Prior to releasing the policy for comment, she and Ms. Clithero will have a brief meeting with the Chair to advise her of the status of the policy and that we will release it for comment with the hope that it will be ready for Board deliberations in August.

12. Confirm next meeting date August 12, 2024; In person or Virtual- Ms. Richards confirmed the next meeting is August 12, 2024; In person, 12-4pm. Ms. Richards confirmed the four board members in attendance were available to attend that meeting.

Return to Agenda Item 2, Minutes and revisions to motion concerning BEAD match estimation formula- Ms. Groschner asked Ms. Clithero to check the proposed language to ensure it includes Ms. Clithero's changes. Mr. Fish indicated he thought the Board had reviewed most of the items except for item 4 that was the big issue request from programmatic staff. He proposed "statistical estimation" rather than "VCBB model" Discussion concerned possible alternative terminology such as standard model or documented objective model. A discussion ensued between the Board and staff regarding the language of item 4. Ms. Groschner offered to revise the language to refer to eligible unserved and underserved addresses, which was acceptable to Ms. Matthews. The Chair directed Ms. Groschner, Mr. Fish and Ms. Clithero to work on redrafting the motion for deliberation at a second meeting in July.

13. KPI Scorecard - Monthly Update- Alexei Monsarrat – Executive Session 1V.S.A. § 313 (a)(3) (3), authorizing a public body to hold an executive session to consider personnel matters. Ms. Hallquist recommended the KPI scorecard update be sent via email under confidential cover to the board. Ms. Richards agreed and stated this would be taken up in August as well. The Chair noted the issue is important to many board members, and that the Board would like to spend appropriate time on it.

14. Board Review - Executive session - 1 V.S.A. s.313(a)(3) (3), authorizing a public body to hold an executive session to consider personnel matters. No executive session was held.

Adjournment: Ms. Richards made a motion to adjourn, seconded by Ms. Groschner. With unanimous vote the meeting was adjourned at 4:01p.m.

Action Items:

- Clarification in the press in regard to Digital Equity and Affordability

- The General Counsel will review her slide presentation to address Ms. Sibia's objection to the use of the term "required" with respect to the Board's authority to issue an affordability policy.
- Ms. Richards asked Mr. Fish to provide an action suggestion of what to do with the \$2.6 million.
- Ms. Groschner stated that a task needs to be added to the parking lot for Ms. Clithero to address the requirements for merger and have a standard set of things that need to happen at a merger.
- Ms. Richards indicated this motion needed more work, not to be rushed and will be taken up in the July special meeting
- KPI scorecard be sent out under confidential cover.
- Poll sent to determine July Special Meeting.

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