

**Vermont Community Broadband Board Meeting  
Monday, October 14, 2024, 12:00pm to 4:00pm  
Meeting Minutes**

**1. Call Meeting to Order, Roll Call, Approval of Agenda** – The Chair called the meeting to order at 12:02 pm and completed roll call:

- Patty Richards
- Holly Groschner
- Laura Sibilila
- Brian Otley
- Dan Nelson
- Christine Hallquist - Staff
- Rob Fish – Staff
- Toni Clithero – Staff
- Kristina Sweet – Staff
- Herryng Herzog – Staff
- Lucie Fortier - Staff
- Ginny Raboin – Staff
- JB Ledoux - Staff

The Chair moved to approve the agenda, seconded by Mr. Nelson and asked for discussion. With no discussion the agenda was approved 4-0 with Ms. Groschner abstaining.

**2. Minutes Approval – 09.09.2024, 09.30.2024** The Chair made a motion to approve the minutes of 09.09.2024, seconded by Mr. Nelson and asked for discussion. The Chair noted a typo on item 6, page 5 of the pdf, the word “the” before the word oversight the doesn’t belong and asked for it to be corrected. On a vote of 4-0 with Ms. Groschner abstaining the minutes were approved with the one correction. The Chair made a motion to approve the minutes of 09.30.2024 seconded by Ms. Groschner and asked for discussion. The Chair noted Ms. Sibilila and Mr. Otley were not in attendance and asked for the minutes to reflect their absence. On a vote of 3-0 with Ms. Sibilila and Mr. Otley abstaining the minutes were approved with the addition.

**3. Public Comment – Christine Hallquist** No public comment.

**4. KPI Scorecard Update – Christine Hallquist, Alexei Monsarrat** *Executive Session pursuant to 1 V.S.A. § 313 (a)(6), which protects records exempt from the access to the public records law* The Chair made a motion to go into executive

session pursuant to 1 V.S.A. § 313 (a)(6), which protects records exempt from the access to the public records law, seconded by Mr. Nelson. On a vote of 5-0 the board voted unanimously to go into executive session at 12:13 pm and returned at 12:29 pm. The Chair noted the only action item in executive session was the Board asked Staff to develop benchmarks for the KPI's and bring ideas back to the November meeting for Board review.

**5. Maple Broadband Addison County CUD) Construction Grant Amendment – Alexei Monsarrat Executive Session pursuant to 1 V.S.A. § 313 (a)(6), which protects records exempt from the access to the public records law**

Ms. Hallquist noted Ms. Sweet is presenting as Mr. Monsarrat was unable to attend the Board meeting. Ms. Sweet noted this application is for Maple Broadband to use approximately \$500,000 in remaining grant funds after they have completed the network as outlined in their grant agreement. This would allow them to activate service in areas where make- ready work is pending completion, build and launch service to eligible addresses under Act 71 that are not eligible under BEAD and do not have fiber available and build routes that will either simplify or reduce the amount of Maple Broadband's bid for BEAD. This would allow Maple Broadband to build approximately 9 additional miles and 158 passings of which 97 would be eligible passings. The Chair asked if the 9 additional miles were inside the Universal Service Plan or if they were new addresses. Ms. Hallquist and Ms. Clithero noted they are part of the Universal Service Plan. Ms. de Villiers of Maple Broadband added that with the existing grant Maple Broadband is anticipating finishing under budget stating this would be an extension of their phase two. Ms. de Villiers clarified the Universal Service plan is the whole district; these addresses are within the district and didn't have service initially and still do not have service. These addresses were part of the original plan in phase one and haven't been rebuilt to date as Maple Broadband is waiting for Green Mountain Power to complete line rebuilds, once completed Maple Broadband would like to build those addresses. With no other discussion The Chair made a motion to approve Maple Broadband's request to use up to \$500,000 of remaining grant funds for pursuit of building an additional 9 miles and 158 passings with the remaining ARPA dollars on the condition that the CUD agrees to comply with current and future board policies, including but not limited to the Affordability Policy, the Consumer Protection Policy, the Construction Standards Policy and the Grantee Agreement Policy, and confirmation that CTC has confirmed that the project constitutes incidental overbuild as required by 30 V.S.A. § 8086 (f).seconded by Ms. Sibilia. On a vote of 5-0 the motion was passed unanimously.

**6. WCVT Construction Grant Amendment – Kristina Sweet Executive Session pursuant to 1 V.S.A. § 313 (a)(1)(A), which protects records exempt from the access to the public records law** Ms. Sweet advised Waitsfield and Champlain Valley

Telecom (WCVT) is requesting \$602,183 allocated to the non-cud towns within WCVT territory. This would allow them to achieve Universal service by allowing them to pass every unserved and underserved Act 71 eligible address by June 30, 2026. Ms. Sweet advised this request is an extension of their current grant which ends December 31, 2025, extending the end date to June 30, 2026. Ms. Groschner asked if WCVT would be able to complete the project if the Board did not approve the extension? Mr. Fish noted that WCVT is completing the original grant, this amendment request will add several hundred addresses with the grant money and with their match money it will allow them to pass every other address. They would not be able to pass every other address with the current grant timeline. The extension will allow them to achieve the goal of passing every other address. The Chair asked if there were any concerns with WCVT KPI numbers. Ms. Hallquist noted that Mr. Monsarrat has expressed no concerns with WCVT KPI. The Chair clarified that the \$602,000 is part of ARPA dollars and they are not from any other CUD, Ms. Sweet confirmed. The Chair asked if the \$602,000 will help achieve universal service for addresses identified in the original business plan or if it is adding new addresses. Mr. Nishi of WCVT noted it is adding additional unserved and underserved addresses not part of the original funding. 2900 addresses are already served on fiber, but WCVT does not provide service. Mr. Fish noted the total number of addresses that will be passed with the approval of the grant amendment is 9666, which includes the original area and the other addresses that are in the towns they serve but are not providing service to currently. The Chair asked how many addresses the \$602,000 would enable WCVT to reach. Mr. Fish advised that WCVT is adding their own dollars to complete the entire network. Mr. Nelson clarified if the 2900 addresses were underserved, or on a competitors' network and asking if there was concern for overbuild. Mr. Nishi advised that WCVT will pass those addresses. If at any time the consumer comes to WCVT asking for service those addresses will be connected. Ms. Groschner noted that the Board should apply the overbuild criteria and asked Ms. Clithero to advise. Ms. Clithero noted that CTC does the analysis, this has been vetted by CTC and that any overbuild is incidental and cost effective. Mr. Nishi noted that WCVT is using \$20 million dollars of its own dollars and will ensure that the \$602,000 requested will only be used on the underserved locations, and that their own investment will be used to pass the already served. Mr. Otley asked the percentage of WCVT that will be fiber after completion. Mr. Nishi advised 100% of the non-cud area and approximately 12,000 out of 21,000 addresses or 57% of the CUD area. The Chair made a motion to approve the WCVT construction grant amendment request of \$602,183 as their remaining Act 71 fund allocation and extend their grant from December 31, 2025, to June 30, 2026, under the condition that the \$602,183 allocation is used for unserved and underserved locations and that WCVT agrees to comply with current and future board policies, including but not limited to the Affordability Policy, the Consumer Protection Policy, the Construction Standards Policy and the Grantee

Agreement Policy, and confirmation that CTC has confirmed that the project constitutes incidental overbuild as required by 30 V.S.A. § 8086 (f)., seconded by Ms. Groschner and asked for discussion. Ms. Sibia asked if WCVT complied with KPI's. Ms. Hallquist confirmed that WCVT is complying with Board polices and the KPI policy. Ms. Groschner asked to add to the motion that WCVT and Maple Broadband subject to the policies of the board. The Chair agreed and asked that be added to both motions. With no further discussion on a vote of 5-0 the Board voted unanimously to approve the motion. Ms. Groschner thanked Mr. Nishi of WCVT for making the substantial investment to the completion of the project.

**7. Annual Report – Herryng Herzog, Christine Hallquist** Ms. Hallquist noted that Staff is beginning work on the annual report at this time and would like to present a draft to the board in December. She noted there is a draft annual report policy that has not yet been approved by the board and asked if the board would like to appoint another member of the board to support the annual report committee. After discussion regarding the timeline for finalizing the Annual Report policy and the need to submit the Annual Report to the legislature, the Chair asked that the draft policy and an outline of the 2024 Annual Report be added to the November Board packet for Board review and that the Annual Report policy will be applied to future annual reports once it has been finalized. The policy will be added to the December or January meeting for the Board to consider.

**8. Update on Workforce Development Program – Christine Hallquist** Ms. Hallquist outlined the team for Workforce Development is Herryng Herzog, Lucier Fortier and herself. Ms. Hallquist noted in 2025 with \$42.5 billion infused into the economy with the priority to construct fiber networks nationally and a projection of 205,000 fiber optic technicians needed, Vermont will require an additional 200 fiber technicians. The Wireless Infrastructure Association (WIA) supported setting up a 5-week certified training program as part of the requirement of the Vermont Department of Labor (VDOL) grant. The first five-week program offered at the Green Mountain Power (GMP) Colchester office had only 4 candidates. In coordination with VDOL and WIA, VCBB staff worked to establish a 2000 hour federally recognized Fiber Optic certification with an apprenticeship program that includes required 144 hours of classroom certifications. VCBB is working with contractors and North Country Career center among others to provide this training throughout the state. The Chair asked if VCBB provided money for the training. Ms. Hallquist noted it is funded through the VDOL primarily and no funds from ARPA are going to fund this program. Ms. Hallquist noted that after the apprenticeship program was developed, VCBB Staff met with employers and established the requirements as outlined in BEAD. Once the workshop was completed the recruitment process began. VCBB has a formal relationship with Vermont Works for Women and is creating a program with correctional facilities. The VCBB continues to

work with the career technical centers and Vermont Community College to develop a curriculum for implementation in early 2025 along with focusing on the Pay it Forward program for employers to support job retention and DE workforce programs. Ms. Groschner asked who was attending events and conferences and what funds were being used. Ms. Hallquist advised that Staff is funded by USF funds and shared that BEAD requires State Broadband Offices to help provide workforce development, training and support. The Chair asked what the Staff time commitment has been for this project. Ms. Hallquist noted her time commitment to workforce development has approximated 25% in recent weeks as she sets up the program and that, moving forward, the time commitment for her and staff has been insignificant overall.

**9. Legislative Update – Gwynn Zakov *Executive Session pursuant to 1 V.S.A. § 313 (a)(6)(A), which protects records exempt from the access to public records law***

The Chair noted that the Board would like to be transparent about what topics are being addressed and asked for discretion regarding strategy. Ms. Zakov provided a recap from the previous legislative session reporting that the FY24 Budget Adjustment Act, the borrowing of the VCBB money for the Flood Recovery Act, Act 87 and Act 113, the State Budget Bill, that provided the funding to VCBB, and that funding was returned to the VCBB. Ms. Zakov then reviewed the policy bills the Board was involved with, Act 99, the merger and governance of the CUDs bill and Act 145, the repeal of the 2.4% universal service charge (USC), replacing it with a monthly charge per access line. The new funding calculation increased the amount of the VCBB USF funding from approximately \$820,000 to approximately \$1.35M. It remains unclear whether the Connectivity Initiative fund, which sits at the bottom of the USC waterfall, will receive any funding as a result of the legislation. Ms. Groschner asked if some of the funding was allocated to Peg access organization? Ms. Zakov clarified it was a different section of the bill not coming from the USC. The Chair made a motion to move into executive session to discuss legislative strategy seconded by Ms. Sibilia. Ms. Groschner noted the statute for Executive session was not accurate. The Chair asked for objections from Board members, with no objections the Board went into executive session *pursuant to 1 V.S.A. s. 313 (a)(1)(F), after finding that premature public knowledge would clearly place the public body at a substantial disadvantage, to consider confidential attorney-client communications made for the purpose of providing professional legal services to the Board.* With no discussion on a vote of 5-0 the board moved to Executive Session at 1:23pm and returned at 2:05pm with no action taken.

**10. Parking Lot – Ginny Raboin** Ms. Raboin updated the Board on the items addressed on the parking lot, items currently in progress and items that have been completed. The Chair noted the legal memorandum concerning the BEAD Affordability Scoring Rubric was missing from the Board Packet. After review of the Board Packet,

the Chair asked for the memorandum be added to the November board packet. Ms. Raboin also reviewed the items on the parking lot that have been completed and are in progress. Ms. Raboin noted item number 92 “KPIs will be reviewed informally monthly and formally quarterly to the Board” was marked completed on the parking lot however, Staff will continue to report informally monthly and provide a more formal report to the Board on a quarterly basis.

**11. BEAD Timeline Update – Alexei Monsarrat** Ms. Hallquist noted this was included in the board packet for informational purposes. Staff is anticipating changes to the timeline and is working with the NTIA and will bring the timeline for board review in November.

**12. VCUDA Update – Rob Vietzke** Mr. Vietzke reported VCUDA continues to work with to develop their plan for this year, they are tracking changes in terms of regulatory, tax and substantive program changes. Mr. Vietzke announced Lamoille FiberNet is very close to completion of their Phase one, 95% of the addresses will be served and 100% of the underserved towns of Eden, Belvidere and Waterville.

**13. Public Comment – Christine Hallquist** Mr. Vietzke noted VCUDA filed comments on the draft RFA for the BEAD process, highlighting a number of states that have adopted fixed subawards where payments and reimbursements are made on a milestone basis with the ability to draw down funding before the work starts and the contract is signed and noted this is beneficial for small providers. Mr. Vietzke noted VCBBs approach allows milestone based and full reimbursement, VCUDA is in favor of milestone based fixed subawards. Mr. Vietzke indicated VCUDA had two areas for clarification in the RFA noting some confusion in the language about consortia, how those could work and also concerning letter of credit alternatives.

**14. Confirm next meeting date November 18, 2024; Virtual** The Chair confirmed the next meeting date is November 18, 2024, virtually and confirmed that Board members would be in attendance except for Ms. Groschner.

**15. Proposed Board Resolution thanking Holly Groschner for her service** – The Chair read the full proposed motion thanking Ms. Groschner for her service to the VCBB. The Chair made a motion to approve the Board Resolution honoring Holly E. Groschner seconded by Mr. Otley and asked for discussion. Mr. Otley thanked Ms. Groschner for her collaboration and shared that he would miss her. Ms. Sibilina shared her gratitude to Ms. Groschner for serving on the Board and for supporting the CUDs. Ms. Groschner noted the high level of respect she has for her colleagues and staff, and that she feels confident that Vermont will get the Broadband it deserves. On a vote of 4-

0 with Ms. Groschner abstaining the motion was approved. The Chair noted that she (the Chair) is communicating with the Speaker of the House and is awaiting a new appointment from the candidates.

**16. Board Review - Executive session - 1 V.S.A. § 313(a)(3) (3), authorizing a public body to hold an executive session to consider personnel matters** The Chair made a motion to go into executive session seconded by Mr. Otley and asked for any discussion. With no discussion and unanimous vote, the Board went into executive session at 2:24 pm and did not return to public session.

## **17. Adjourn**

### **Action Items:**

- Minutes of 09.09.2024 removal of “the” in item 6 prior to the word oversight
- Minutes of 09.30.2024 addition of Ms. Sibia and Mr. Otley noted as absent
- Staff to develop benchmarks for the KPI’s and bring ideas back to the November meeting for Board review.
- Add to the motion that WCVT and Maple Broadband subject to the policies of the board.
- Staff to submit a draft annual report for Board review in the November meeting.
- The Chair asked that the Annual Report Draft policy be added to the November Board packet for review
- Staff will provide an outline of the Annual Report in the November meeting
- Staff is anticipating changes to the timeline and is working with the NTIA and will bring the timeline for board review in November.