

Vermont Community Broadband Board Special Meeting
Monday, September 30, 2024, 3:00 pm to 4:00 pm
Special Meeting Minutes

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

Patty Richards called the meeting to order at 3:03 pm, and completed roll call:

- Patty Richards
- Holly Groschner
- Dan Nelson
- Brian Otley (Absent)
- Laura Sibia (Absent)
- Christine Hallquist - Staff
- Rob Fish - Staff
- Toni Clithero - Staff
- Alexei Monsarrat - Staff
- Heryn Herzog - Staff
- Kristina Sweet - Staff

The Chair moved to approve the agenda, seconded by Ms. Groschner and opened the motion for discussion. Ms. Richards added to the agenda a Board Announcement before Public Comment. With no objections or additional changes, the Board voted 3-0 to approve the agenda with the addition.

1.1 Board Announcement – Ms. Groschner announced her resignation from the Board noting the October 14 board meeting would be the last Board meeting she will attend. Ms. Groschner thanked everyone for the opportunity and noted that Ms. Richards has recommended two candidates to the Speaker. The Chair thanked Ms. Groschner for her expertise, wisdom and hard work. Mr. Nelson expressed his appreciation for Ms. Groschner stating she is an asset to the board and Ms. Hallquist noted Staff appreciation for Ms. Groschner and her thoughtful input, noting that it has improved the quality of the work.

2. Public Comment – Ms. Hallquist opened public comment. Ms. Shute of NEKCV Broadband expressed her gratitude for Ms. Groschner’s participation on the board and the work she has done, her thoroughness and detail dating back to VTA days. Ms. Shute thanked Ms. Groschner for her time and shared that her understanding and knowledge has been important really important.

Ms. Smith of NEKCV expressed her appreciation and gratitude to Ms. Groschner for her work with digital equity noting the importance within the State of Vermont.

Ms. Mackenzie noted how fortunate she was for working alongside Ms. Groschner and thanked her for her work.

3. NEKCV Broadband CUD – Alexei Monsarrat There will be a short verbal presentation before the Board goes into Executive Session. *Executive Session pursuant to 1 V.S.A. s. 313 (a)(1)(A), which allows 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 with respect to contracts.*

Mr. Monsarrat shared there are two requests for the board. The first is to obligate NEKCV's remaining ARPA allocation to be used for an additional set of addresses, noting the Board had been provided with a memo from CTC detailing the request. The second portion is a request for BEAD match, noting a similar structure to the request for the \$30M state funds. This would be a stand-alone piece contingent on winning a BEAD bid. Ms. Richards confirmed the discussion should be in executive session and made a motion to go into Executive Session pursuant to 1 V.S.A. § 313 (a)(6)(A), which protects records exempt from the access to public records law, seconded by Mr. Nelson and asked for discussion. With a vote of 3-0 the Board went into executive session at 3:14pm and returned at 3:49pm with no action taken. Ms. Richards made a motion to approve the amendment to NEKCV's existing construction grant of \$4,339,687.00 in ARPA funds, conditioned on the modification of the grant agreement to indicate the Executive Director will approve the second performance payment of 30% with respect to the OLT detailed designs and the grantee 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 over build as required by 30 V.S.A. § 8086 (f). Ms. Richards concurred on the additional condition. The motion was seconded by Ms. Groschner with no discussion on a vote of 3-0 the motion was approved. Ms. Richards made a motion to approve the use of \$20,999,474.00 as BEAD match contingent on NEKCV receiving commitment to a BEAD award prior to September 30, 2025, seconded by Mr. Nelson. With no discussion on a vote of 3-0 the motion was approved. Ms. Richards thanked and congratulated NEKCV for their hard work.

4. Chittenden County CUD Proposal – Alexei Monsarrat There will be a short verbal presentation before the Board goes into Executive Session. *Executive Session pursuant to 1 V.S.A. § 313 (a)(1)(A), which allows 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 with respect to contracts.*

Mr. Monsarrat noted that Chittenden County CUD is bringing a two-phase approach to meeting their Universal Service Plan. The first phase they are asking for grant funding of \$2.1M, the second phase would be accomplished with

Consolidated Communication's (CCI) commitment to apply for BEAD funding to cover Phase 2, the remaining territory not covered in Phase One. Mr. Monsarrat noted Chittenden County CUD is fully committed to universal service and should they have challenges they will continue to work until they have achieved universal service. Mr. Monsarrat continued that there is a commitment by CCI to provide sustainability funding to Chittenden County CUD concurrent with the other three CCI partner CUDs. Ms. Groschner noted that South Burlington and Essex have very few addresses in terms of unserved and underserved locations and asked if staff had any concerns of their involvement in this CUD in terms of any potential benefit. Mr. Monsarrat advised that staff is recommending approval of this grant to move forward. Ms. Groschner then asked if the two locations that are on an island are part of this grant application. Mr. Vance Executive Chair of Chittenden County CUD noted that Juniper Island which is off the coast of South Burlington is an island that has an E911 address of South Burlington. Ms. Groschner asked if there was power to the address. Mr. Vance noted they are self-powered, and they are being declared as high cost. Ms. Hallquist noted the addresses do not qualify under Act 71, but they do qualify under BEAD as extremely high-cost locations. Ms. Groschner clarified that the funds requested for 133 addresses are ARPA funds and by board policy ARPA funding must be on the grid. Ms. Groschner asked if those two addresses were part of the 133 addresses in this application. Ms. Davis of Consolidated Communications clarified that those addresses are not included in this application. Ms. Groschner noted that information helped the board to move forward asking Mr. Monsarrat to continue to review addresses to ensure the board is compliant with Act 71 standards. Ms. Richards sought confirmation that based on the discussion from the last meeting if the board approves the \$2.1M allocation it is the commitment of the CCCUD to require CCI to pursue BEAD and complete the next steps for phase two. Ms. Groschner asked if there was incidental overbuilds. Ms. Fremin of CTC confirmed that the overbuilds met the incidental requirements of 30 V.S.A. § 8086(f). With no other discussion, Ms. Richards made a motion to approve Chittenden County CUDs request for \$2.1M of ARPA funds as presented in their universal service plan, with the conditions concerning the approval the Executive Director for the second performance payment of 30% with respect to the OLT detailed designs and a commitment to comply with existing and future board policies, including but not limited to the Affordability Policy, the Consumer Protection Policy, the Construction Standards Policy, the Policy on Mapping and Service Data and Overbuild, and the Grantee Agreement Policy, with Ms. Groschner suggesting the addition of the commitment of CCI to contribute \$1,089,163 to Phase 1 of the project and apply for BEAD funding to complete Phase 2. Ms. Richards welcomed the addition. Ms. Groschner amended the motion to include the conditions listed above, seconded by Mr. Nelson and Ms. Richards asked for discussion. With no other discussion on a vote of 3-0 the board approved the motion.

5. Public Comment – Christine Hallquist No public comments.

6. Adjourn – Ms. Richards made a motion to adjourn at 4:04 seconded by Mr. Nelson. With no discussion on a vote of 3-0 the board adjourned.