



## CV FIBER GOVERNING BOARD MEETING MINUTES

GoToMeeting (virtual meeting only)

August 18, 2020

### **Present:**

**Governing board delegates:** Jeremy Hansen (Berlin), Siobhan Perricone (Orange), Allen Gilbert (Worcester), Philip Hyjek (Middlesex), John Russell (Worcester Alternate), Frank Moore (Williamstown), David Healy (Calais), Tim Sullivan (Roxbury), Joshua Jarvis (Barre Town), Michael Birnbaum (Plainfield), John Morris (Marshfield), Tom Fisher (E. Montpelier), Greg Kelly (Barre City), Andrew Gilbert (Cabot), Ray Pelletier (Northfield), Chuck Burt (Moretown)

**Others:** ORCA, Stephen Whitaker, Sam Rosenberg, 2 Unknown Listeners

**Called to order:** 6:01PM by Jeremy Hansen via GoToWebinar

### **Additions to the agenda:**

- Jeremy H. proposed covering some outstanding invoices.

### **Public comment:**

- None

### **Outstanding Invoices:**

- Jeremy Outlined Sets of Bills:
  - LinkedIn Bills for Job Post for Project Manager (aside: didn't produce much fruit) - \$108
  - Peter Bluhm - \$5,387.50
  - Jeremy Matt, Clerk Stipend - \$300
  - Interisle - \$20,220 - Callout that this was contingent on \$100k we haven't received yet
- Motion: Jeremy to approve all, seconded by Greg Kelly
- Discussion:
  - Chuck indicated he believes having some cash on hand to respond to last-minute opportunities might be wise.
  - This would leave us with \$3,433.65 in the bank.

- Jeremy pointed out that we may have a second NRTS bill coming due for \$5,000, but it may also be a billing error so clarification is required.
- Someone asked if we should float half even though the \$100k isn't due since it's not Interisle's problem.
- Motion: Michael to amend to pay Interisle \$10k even now, David seconded. Passed Unanimously.
- Amended Motion passed unanimously.

### **Subcontractor Policy**

(Note organized topically rather than chronologically)

- Jeremy outlined the policy as given to the board, but received feedback that it should be more like Broadband Innovation Grant as follows:
  - "Planned use of subcontractors shall be clearly explained in the proposal(s), including terms of any subcontract. Applicants must include a copy of any proposed subcontract(s) with the proposal(s), if available. All subcontracts must comply with the certification requirements imposed by the state. The prime contractor(s) shall be responsible for all contract performance, whether or not subcontractors are used. The only contact with the DPS will be with the Applicant. If Applicant plans to employ a competitive bid process to select a subcontractor, the Department must have advanced notice of selected contractor and shall provide a notice to proceed before work commences."
- Much concern discussed around C2, the clause limiting former members of CUDs that had membership rescinded including concerns from David and Michael.
  - Ken made passionate plea to consider the quality of the product, not the individual.
  - Michael pointed out that what happens if a Community removes someone we do like? He thinks it imposes too much overhead and he thinks transparency and right of refusal.
  - Siobhan pointed out that she believes he actively did harm.
  - Andy G. pointed out that he believes the harm is being overblown and we need to focus on the items that produce successful outcomes.
  - Siobhan responded that there should be consequences to actions. There has been no remorse shown.
  - Phil echoed Siobhan and reminded everyone that policy can be modified or waived. The tone might need some change, but the intent is good. We should probably sit on it.
  - David believes we should move on.
- Concern that there should be a broader Contractor agreement
  - Michael indicated that it should be part of broader Contracting agreement.
  - Jeremy H responded that he would like to see a broader Contracting agreement, but needs to entertain other volunteers to do it.
- Tim asked whether we should involve an attorney, Jeremy H indicated if we are willing to pay.

### **State & Federal Funding:**

- Jeremy provided update on Wireless Extension. Submitted proposal with much smaller scope, e.g.:
  - Only Cloud Alliance
  - Only our own poles

- Allen expressed concerns about the VTDigger contentions that CUDs will be "fall guy" for failure. Cited his community member who is attempting to bring Comcast. Is this an existential moment where trying to provide these services via a public body still appropriate? More news should be shared with our communities, e.g., Fixed Wireless Extensions, not receiving NBRC, etc. Also expressed concern that he didn't know there was both Fed AND State auctions
- Jeremy pointed out that the journalist in VTDigger was working off old information. Also called for volunteers to write.
- Ken: First, telephone advisory committee met today and tomorrow will announce first round of awardees. He thinks we should be encouraged. Second, department will be providing \$500k for consultant for emergency planning, one activity of such is to support CUDs—relationship between establishing stronger fixed wireless and ultimate build of fiber. Hoping consultant will help navigate encouraging medium-term path but not as detriment to fiber. Pointed out auction has no basis, but has no funding and is unlikely to be pursued unless they get funding (state unlikely, revisit if fed?), but that CUDs have strong support from members of the state departments. Is optimistic.
- Michael: Understands Allen's frustration and points out that it's an unfortunate effect of journalism. Purpose was to advance the idea that the NEK Collaborative is pushing forward and wants influence on policy. Brought up old policy that may advantage big providers. Purpose was to influence legislators to move away from such policy, but we'll see as the money doesn't exist. Shares Ken's optimism.
- Chuck: pointed out plan to call together Communications committee. Allen pointed out that he would take first stab at summary so we can have a good guided discussion.
- David pointed out that governor budget lists \$2m in CUD funding. Jeremy pointed out that we should all call our representatives to show support for this funding. Siobhan asked for clarification on what this is about, Jeremy pointed her to document, page 2, that lists this as an initiative.

#### **Appointment of an Executive Director:**

- Jeremy gave overview of process that he, Siobhan, and Greg conducted to suss providers.
- Michael pointed out we should be in Executive Session.
- Motion: Allen: to enter executive session pursuant to 1 V.S.A. § 313(a)(3). Seconded by Jeremy. Passed unanimously.
- Entered Executive Session at 7:03PM.
- Left Executive Session at 7:38 PM.
- Mention that perhaps Fixed Wireless application period 3 might have moved, but TBD.
- Motion: Chuck: Table further discussion around Project Manager position until 8/25/2020, Seconded by Ray. Passed Unanimously

#### **Roundtable:**

- David indicated good meeting with WEC that they need fiber in homes for smart meters.

#### **Meeting Adjourned at 7:43PM**

Respectfully submitted,  
Chuck Burt, Moretown