

Vermont Community Broadband Board Draft Meeting Minutes
Meetings are being held virtually.
November 28, 2022

I. Call To Order – 12:03pm

Roll call completed by Patty Richards

Patty Richards, Chair (Remote)
Laura Sibilgia (Remote; left at 12:35pm, returned at 1:06pm)
Brian Otley (Remote; left at 1:30pm, returned at 2:00pm)
Holly Groschner (Remote; joined at 12:07)
Dan Nelson (Remote)
Christine Hallquist - Staff (Remote)
Robert Fish – Staff (Remote)
Alissa Matthews – Staff (Remote)
Stan Macel – Staff (Remote)
Herryn Herzog – Staff (Remote)
Lucy Rogers – Staff (Remote)
Tracy Collier - Staff (Remote)
Kristin Brynga – PSD Staff (Remote)
Adam Bornstein – Staff (Absent)

Patty Richards made a motion to approve the agenda as posted, seconded by Dan Nelson, and the agenda was unanimously approved.

II. Approval of the November 14th Draft Minutes

The Board discussed the November 14, 2022 draft Board Meeting minutes. Patty Richards made a motion to approve the minutes. Laura Sibilgia seconded, Dan Nelson abstained, Holly Groschner was not present, and the motion was unanimously approved by three voting members.

III. VCBB Data and Overbuild Policy

Stan Macel provided an overview of the draft data and overbuild policy. Including what data can be used and how it will be used when considering grant applications. Overbuild requirements are also outlined in the policy.

Laura Sibilgia commented on the purpose of the VCBB and whether it makes a difference when considering cost effectiveness, whether or not we are dealing with community broadband or not. She shared her recommended addition to add the language to the background and objectives section to include, “acceleration of community broadband solutions”.

Holly Groschner commented that it would be good to avoid unintended consequences when drafting policy. She requested clarification and definition of cost effective, as to whether that means additional revenue on an ongoing basis, or just cost effective for building. She suggested the term incidental overbuild needs more clarity, and questions who the burden to identify the

cost-effective data is in reference to? (Bullet point 4) - Suggested language change to include (section 3 overbuild policy pg. 15) “incidental to accomplish overall objectives”. She also suggested (workable business plan) “including a workable business plan that does not create additional infrastructure costs.”

Patty Richards asked VCBB Staff to set up a shared document that can be commented on and redlined. Christine agreed and added that there isn't clarity around how much level of detail is needed regarding overbuild, since when applications are reviewed, the designs are analyzed to ensure that the CUDs and other eligible providers are taking the most direct route possible in order to get to the underserved and unserved while still proving a Universal Service Plan.

Holly asked if a discussion with the CUD's would be helpful to clarify their objective and determine if it is to have us recognize their cost in the funding model. Patty agreed and asked to add the discussion to the December 12th meeting agenda.

IV. VCBB Board Communications Policy

Christine Hallquist shared the proposed communications policy, highlighting:

- Weekly updates are the primary form of communication for ongoing Staff updates to the Board, especially as the VCBB moved to a monthly meeting schedule.
- Changed to: Press releases will be shared with the Board prior to being released, the day before if time allows.

Patty Richards made a motion to approve the communications policy with the change discussed, it was seconded by Holly Groschner, and was unanimously approved.

V. NBRC Capacity Grant General Concept

Rob Fish presented the proposed concept for the expanded funding over an additional year for capacity from NBRC.

- Highly Qualified Financial Expert
- Expansion of VCUDA Program Coordinator Role
- Policy Analyst and Program Coordinator
- Communications and Marketing Support
- VCUDA Administrative Support
- Make-Ready, FCC Challenge, and “As Built” Support and Coordination Expert
- Expanded GIS Support
- Grants Office Expert
- Shared Systems and IT
- Middle Mile Grant Support

Holly Groschner asked for more clarification on the need for additional resources regarding BEAD administration and if there was a way of defining the difference between current staff positions and the additional resources. She also asked that staff consider adding resources to support initiatives to improve affordability in the NBRC capacity.

Dan Neslon mentioned that the money that might be received here may offset other administrative cost and therefore advance a build out or a connection. This should be taken into consideration when reviewing grant submissions.

Christine indicated that the team would take the comments of the board into consideration and bring back an updated proposal to a future board meeting.

VI. Staff Updates

- New Staff Intro
 - Christine Hallquist introduced Tracy Collier, the new Administrative Services Manager III for the VCBB. Tracy shared that previously she worked for the Public Service Department administering the utility assistance programs and Economic Services Division as the program manager for the SNAP Employment and Training program, Jobs for Independence (JFI). She will be working on the budget analysis, providing administrative support and should be considered a direct contact for board members. (tracy.collier@vermont.gov or 802-636-7162)
- Dashboard Review
 - Alissa Matthews shared the Broadband Status Dashboard showing the addition of the PSD's updated 2022 data. The dashboard access information will be sent in the next Weekly report.
- Press Coverage
 - Heryn Herzog presented a summary of media coverage since the last board meeting:
 - Articles about the \$26.5 million grant approved in October that were in the Manchester Journal in Brattleboro Reformer
 - WCAX had a story at the capital for a day event about towns having trouble spending their ARPA money
 - Citizen ran a story about what providers will be serving in the Lamoille Fibernet CUD.
 - VT Digger and a few other outlets reported on the vote to form a Chittenden County CUD
 - VT Digger ran a commentary piece by Katherine Ashe mentioning the work the VCBB has been doing including the workforce development plan
 - VT Digger did an article about the problems with the new FCC map data.
 - Brattleboro Reformer ran an article about our expanded town match

program.

Holly Groschner requested staff consider adding all news articles to VCBB website. Staff agreed to consider this.

- Upcoming Construction Grant Applications
 - Lucy Rogers gave an update
 - There have not been any new construction grants received.
 - Lamoille is prepping to submit a construction grant.
 - NW Fiberworks issued there RFI this week for a network operator to serve as a tenant on their planned fiber to the premise network
 - SOVT will receive funds to hire program director directly from VCBB
- Grant Agreement Status and Monitoring Activities
 - Kristin Brynga was not present.

Patty Richards requested more information on the future weeklies regarding fund allocations including legislative, legal, and policy sections relative to the auditor's office. These questions focused on 4 themes. How did the CB insurers seeds conform to best practices and present accurate and presents accurate information to the board? Christine agreed that this is a priority and will be added to future board agendas.

Christine shared that ISP accountability is a priority and that the current contracts have oversight language and performance measures built in. ISPs are regulated by the FCC. The auditors' recommendations will drive the future accountability initiatives.

VII. VCUDA Update

Rob Vietzke provided an update for VCUDA

- Data Overbuild Policy – Rob shared that the policy represents the needs of the VCBB and CUD's by offering flexibility.
- Shared Services – Rob shared that the proposal is a response to the identified needs of the VCBB staff and CUD's to be successful when seeking additional funding and meeting compliance expectations.
- FCC Challenge – The BEAD allocation will be directly impacted by the data. Rob encourages the board to enter address in the system and verify accuracy. It was recommended to consider a campaign to address the data discrepancies.
- Audit Meetings – Rob is in agreement that the audit meeting at this stage in the project will be beneficial and help guide performance requirements.

VIII. FCC Broadband Map Challenge Process

Herryn Herzog presented background for the Challenge Process on the FCC's Map.

- Two challenge processes – fabric location and broadband availability status
- Both challenges allow for individual or bulk types of challenges
- How-to video available at: <https://www.fcc.gov/BroadbandData/consumers>

IX. Public Comment

There were public comments provided by:

- Roger Nishi from WCVT commented that in some cases business, municipalities and schools are considered to be a mass market service and thus indicated as not serviceable.
- Christa Shute from NEK Broadband commented that her understanding was that the VCBB would be proposing the bulk challenge process for the statewide availability data. Rob Fish explained that there are plans for the VCBB to work with Stone to submit a statewide bulk challenge, the PSD has submitted a bulk fabric location challenge, and there will likely be additional coordination between the VCBB and the CUDs to submit additional bulk challenges, but Christa is correct that the video shared, and the outreach campaign is targeting the efforts for the individual challenge process.
- Steven John commented DVFiber CUD has reviewed the maps and the data and supports the individual's reporting accuracy of the data. The bulk data review has not identified large discrepancies to this point.
- Roger Nishi asked about how the maps are being used in the bulk challenge. Rob Fish explained that when data is drilled down more information is available that will guide the bulk challenge process. Priority will be on locations that do not have 25/3 access.
- Rob Vietzke not very likely that Vermont will have a significant amount of crowdsourced data, especially given the timeline.
- Brian Otley asked if it would be feasible to outreach large companies who rely on remote workers to assist in the individual challenge. Holly agreed to outreach the VT business round table.
- Christa Shute shared her concerns about the ability to use the individual challenge when folks do not have the ability to access the challenge site. Laurie reminded the board that self-attestations are an acceptable report. Rob shared that the FCC will be providing guidance on Wednesday.
- Patty requested that the challenge plan be presented at the December board meeting. Christine agreed.

X. Parking Lot

Christine Hallquist reviewed the items in the parking lot, which include:

- VCBB's approach to mapping and strategy for challenging the FCC - presented the challenge process background information Nov. 28th and will finalize strategy for December meeting..
- Invite to the Federal Delegation to future Board Meeting. There is a tentative plan to have them attend January meeting.

- Workshop for the CUDs on Uniform Guidance is scheduled for December 7th.
- Subsequent overbuild policy discussed Nov. 28th. Will continue to discuss December 12th.
- Data policy presented Nov. 28th, will be revisited December 12th.
- Communications procedure plan approved with amendment at the Nov 28th meeting.
- Discussion of a separate webpage will not be pursued at this time.
- Development of a mission statement. Patty will lead this task, and it will be presented at a future meeting.
- A Federal Program Officer at the NTIA will be needed to work on this with us and that has finally been announced as Clay Purvis from the Public Service Department. The VCBB plans to invite Clay to the January Board Meeting.

XI. Confirm Date and Proposed Agenda for Next Regular Meeting & Motion to Adjourn

Patty Richards confirmed the next meeting will be December 12th and discussed the proposed agenda items, including expanded discussion regarding the data policy, a refined approach to the NBRC grant concept, the strategy for the FCC Challenge, and a discussion focused on the VCBB's Mission Statement. Patty a motion to adjourn. Laura Sibilis seconded, the motion was unanimously approved, and the meeting was adjourned at 2:58pm.