



July 17, 2024 – 5:00 PM

Location: Bomoseen State Park – 22 Cedar Mountain Rd, Castleton, VT

Governing Board Meeting Minutes

2024 - Otter Creek CUD Governing Board Representatives & Alternates:					
TOWN	REP NAME / ALT NAME	P/A	TOWN	REP NAME / ALT NAME	P/A
Benson	Steve Murray / Lynn Bowen	P/P	Pittsford	Brett Mullin / Greg Hiltz	A/A
Brandon	Peter Werner / Bill Moore	P	Poultney	Mark Teetor / Terry Williams	P/P
Castleton	Leslie Cadwell / Ted Molnar	P/P	Rutland Town	Danielle Mumma / Andrew Palmer	P/P
Chittenden	Andrew Quint	A	Rutland City	Alex Adams	A
Fair Haven	Jason Coupol	P	Shrewsbury	Laura Black, Chair	P
Goshen	Tyler Davidson-Toman	A	Sudbury	Mike Small / Tom Myer	P/A
Hubbardton	Chris Custer	P	Wells	Eleanor Jones, Secretary / Sharon Corey	A/A
Mendon	Larry Courcelle, Vice Chair/ Valerie Taylor	P/A	West Haven	Jennifer Book / Kerry Ellis	A/A
Pawlet	Jessica Van Oort	P	West Rutland	<i>No Appointment</i>	
Jackie Savela, 2023 OCCUD Treasurer					P
P= Present, A= Absent					

Other Guests present: Heidi Mahoney (GoNetspeed), Scott Brooks (Consolidated Communications, Inc.).

Chair’s note on remote joining by phone: Laura checked the remote phone line at about 5:30pm and there were no members or public present. Laura then sent out an email to the Governing Board email group asking that if anyone wanted to join by phone, to call her personal cell #. Laura received no calls.

Governing Board Meeting Minutes:

1. *Roll call, confirm quorum* – 11 Town voting representatives present for a quorum.
2. *Call to order - Start Recording.* Meeting started at about 5:50pm.
3. *Approval of agenda-* Motion by Chris, second by Larry. Unanimous approval.
4. *Public input (limited to 3 minutes per presenter).* None.
5. *Welcome new members from Rutland Town and from Fair Haven.* Chair welcomed new members representing Rutland Town, Danielle Mumma and Andrew Palmer, and Fair Haven Representative Jason Coupol (Jason reminded us that he has been present for last meeting!).
6. *Welcome CCI representatives.* Chair welcomed Scott Brooks.
7. *Welcome GNS representatives.* Chair welcomed Heidi Mahoney.



8. *Approval of previous meeting minutes –6.19.24.* Motion by Mark, Second by Chris. Unanimous approval.
9. *Financials: Review approved Warrant approved at Executive Committee meeting 7/10/24.* Warrant for \$20,999.78, dated 7/10/24, plus approval of PO Box annual fee of \$256.00 added was reviewed with no discussion.
10. *Report from Executive Committee (Exec Comm) Mtg –*
 - *Front Porch Forum - Exec Comm recommends approving 6 month membership and postings by Mike S.. Motion req'd.* Mike Small described the details regarding a FPF paid account. The cost is \$918.00 for 6 months. It will allow OCCUD to post announcements, news, etc. to reach the member towns of our district. Mike has offered to draft posts and distribute the board for comments before posting. Discussion included agreement that FPF is a good way to reach constituents, and the posting that Mike wrote and is included in the Executive Committee meeting minutes is very good. (Mark says good idea, Leslie says fantastic idea, thank you to Mike). Motion to approve by Mark, second by Leslie. Unanimous approval.
 - *10-Year Sustainability Plan - Executive Committee recommends approving the draft Resolution to collaborate on a 10-year Sustainability Plan with So VT CUD and Lamoille Fiber CUD as outlined in the 7-09-24 draft presented. Motion Req'd.* Chair Laura describes that the Sustainability Planning Committee has been continuing with OCCUD members Laura and Larry joining with SoVT CUD chair and Lamoille Fiber (LF) CUD executive director and other LF CUD members to develop a sustainability plan. There has also been a sub-committee that has met with CCI to request CCI to fund the operations of a planned Joint Triumvirate (of the 3 CUDs) with shared (and reduced) operational expenses. Chair Laura B reviewed the 10-year sustainability plan starting with the section describing the four elements of the sustainability plan, the three actions taken to date, and the items under the “Now Therefore . . .” section- items #1 through #5. Mark asks about what OCCUD’s activities will be after the build is complete? Chair Laura responds that potentially the CUD will be involved in Digital equity plans which will probably be developed at the state level. Also OCCUD is responsible for oversight of the public and consumer operating agreements of our contract with CCI as well as similar agreement with GNS. Leslie asks if this is final draft. Chair Laura answers no, but the substance is final unless this Board is not in agreement. Leslie recommends that especially the final numbered items 6, 7, 8 should have legal counsel review. Leslie suggests two edits: One - In # 3 “Per MSA and Schedule D,” needs to be better defined to describe whose MSA, Schedule D (e.g., those of each of the 3 CUDs). Second - In #5 “. . . and will require volunteer Board participation. . .” needs to define that the “Board” means the 3 CUD Governing Boards. Chair Laura will draft those edits and distribute to the SoVT CUD and LF CUD sustainability committee members before requesting final legal counsel review. No further discussion. Motion to approve the 10-year Sustainability Plan with the edits as described and the review and non-substantial edits by legal counsel by Larry, second by Chris. Unanimous approval.



- *Grant Reports – Vantage Point will submit next quarterly reports in July for the Construction grant, and next monthly report in July for the Pre-Construction grant. No information presented.*
- *Applying for allocated pre-const funds. Plan to develop budget with Vantage Point and vice-chair. Motion to allow chair to apply to VCBB for amendment to request balance of pre-construction funds. Motion Req'd. Chair Laura describes that a Letter of Intent to apply for additional pre-construction funds has been submitted to VCBB. Laura says that she doesn't know exactly when the application for additional funds has to be submitted to VCBB but it may be prior to the next Governing Board meeting. Chair Laura says that her task is to develop a budget for the year 2026, which will require significant legal costs to develop and implement the Sustainability plan. Laura plans to develop a budget with Vantage Point, with input from treasurer Jackie and vice-chair Larry. After some discussion of how we might proceed and obtain approval from the Governing Board to submit the application for additional pre-construction funds, a suggestion was made to allow the OCCUD executive committee to approve the budget and the application for the additional pre-construction funds. Motion made by Peter, second by Leslie. Unanimous approval.*
- *CCI Sale. Letter of support for OCCUD to sign. Motion Req'd. Chair Laura presented a letter of support for the CCI Joint Petition which has been drafted for SoVT CUD, OCCUD and Lamoille Fiber (LF) CUD to sign and was sent to chairs of those CUD by attorney Eli Emerson. Chair Laura and Vice-chair Larry had previous discussion with the chairs of SoVT and LF CUDs about this letter during which it was agreed that the sentence regarding "conditions for the reasons set forth in the Joint Petition and supporting testimony" would be deleted. Question was asked about why this letter was requested and by whom. Chair Laura said that she wasn't entirely clear though the chair of SoVT had described how it came about. There was some discussion about why and whether OCCUD Board supports the Joint Petition given that CCI currently has a CPG. There was discussion about the testimony from other CUDs, given through VCUDA, asking the PUC to enforce the rules that require owners (such as CCI, GMP, others) of utility poles to be expeditious in the pole attachment make-ready process and apply some conditions to the approval of the Joint Petition in that regard. A board member asked the question, why does the PUC approval matter to OCCUD? Another member suggested that OCCUD does want the company that we have contracted with to have a successful business plan and CCI has made their business decision to request the Joint Petition from the VT PUC. Another question was posed, as to what does OCCUD "get" in return for signing this letter of support? Mike Small suggests that the letter stipulate that our signature to support the Joint Petition is with condition that the obligations of our contracts with CCI are maintained. Leslie offered to draft language to clearly express this in language that has good legal merit. Chair Laura will then present that draft to the other two CUDs (SoVT and LF) and with their approval, will send the modified letter to attorney Eli Emerson for final draft before all three CUD's sign. There was no*



further discussion. Motion to make the modifications to the letter of support and proceed as described made by Mark, second by Chris. Unanimous approval.

11. *GNS Update (GNS Representative Heidi Mahoney)*. Heidi gave an overview of the fiber construction in the GNS territory. Construction is currently proceeding on schedule. Some possible delays may occur due to GMP delaying in make-ready pole responses. Heidi is still scheduling to meet town officials in each town, and planning announcements at local level. Heidi said that the free accounts (one per town) may be used by Towns for business purposes.

- *Reminder for public hot-spot locations for each town.*

12. *CCI Update (CCI Representative Scott Brooks)*. Scott gave an overview of the construction in the CCI territory. Their contractors and work is on schedule, and even ahead of schedule though the July 10 flooding in central Vermont has created some challenges and delays for contractors. Currently, it is not affecting the OCCUD area. Scott notes that the next couple months, the area will be seeing a lot of activity, contractors and trucks. Contractor's trucks should all have magnetic signs displaying Fidium Fiber (CCI's fiber division). Scott asks us to report any contractors working for CCI that do not have those signs. Scott described the meetings with CCI's construction manager, Greg Povey, the inspection contractor, VCBB Executive Director held last week to go over process and schedule (Chair Laura also attended). Questions asked: Andrew asks is copper going to be taken down? Scott says that is the plan to remove it in the future. Peter asks about customer service drops; how should customers prepare and contact CCI for service drops. Scott says best is to tell constituents to go to Fidium Fiber (website) and get registered for service; Fidium wants to get as much customer drops done ahead of time as they can. Mike asks- can the crews working in central Vermont come here if they are delayed from their work there? Scott says that Greg Povey would need to answer that. Steve asks – when the copper comes down, how will those customers that want copper (do not want fiber service) be served? Some input from other members on recognizing that across the US copper is not going to be maintained and that eventually, all telecom service will be via fiber. Steve followed up with a question about battery backup. Scott answered that battery backups can be purchased from Fidium and a service tech will install them. Jessica asked – can CCI rep come to a selectboard meeting in Pawlet? Jessica said that she had contacted Scott but received no response, and Selectboard has lots of questions. Scott answers yes, and requests Jessica to give him her contact info. Larry asks about public hot-spots in CCI territory. Scott answers that those are for public use only. Chair Laura says that she sent the exact language of the CCI contract of the “hot-spot” use to board members (probably at/after the June meeting). Chair Laura asks – how is CCI marketing done to alert constituents of available service? Scott says they have a marketing person in Burlington who knows Vermont, they are doing mailers, other media. Chris asks Heidi about putting in requests for service. Heidi says yes, have constituents put requests in although GNS is currently working on making the website process easier and simpler (thanks to Mike and Heidi's attention to this issue!).

- *Reminder for public hot-spot locations for each town.*



13. *VCUDA update (Vice-Chair)*. Vice-chair Larry gave a few brief notes on recent VCUDA meeting.
14. *VCBB update (Chair)*. Chair Laura had no notes on the last VCBB meeting.
15. *Other Business*. None
16. *Set Next Governing Board Meeting* – August 21, 2024
17. Adjourned at about 7:30 pm