



Executive Committee Meeting Minutes (DRAFT)

December 1, 2022, 4-5:30 pm (EST)

Attendees: Evan Carlson (Chair), Morgan Wade , Paul Fixx, Nick Anzalone, Ray Lanier, Jonathan Baker, Michael Strait, Bill Piper.

Staff: Nedah Warstler, Danielle Sukkaew, Christa Shute

Meeting started and was adjourned at 4:07 to enter another meeting that was being hosted by the VCBB

Motioned: Paul Fixx Seconded: Nick Anzalone	For	Against	Abstain
Motion: To adjourn and come back to EC meeting at 4:45	8	0	0

Recommendation of new Finance Committee Members for January 1 start

Motioned Bill Piper Seconded: Paul Fixx	For	Against	Abstain
Motion: To appoint Governing Board member Marty Feltus, District Hardwick resident Linda Markin, and District Burke resident John Kascenska to the Finance Committee to expand the Finance Committee from 3 to 6, where the charter allows up to 7.	8	0	0

Partner Discussion

Motioned Morgan Wade Seconded: Nick Anzalone	For	Against	Abstain
Motion: to enter Executive Session with staff under 1 VSA 313 finding that the discussion of partners would substantially disadvantage the CUD and the parties	8	0	0

involved were it to be made public at this time.			
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Update on Partners - potential and existing - including proposed RFP responses
Bill Piper left at 5:31, and returned via phone at 5:39
Mike Strait left at 5:32

Motioned Paul Fixx Seconded: Ray Lanier	For	Against	Abstain
Motion: To exit executive session	8	0	0

Discussion: No action was taken during executive session.

Motioned Paul Fixx Seconded: Ray Lanier	For	Against	Abstain
Motion: To ask NEK Broadband management team to develop a financial analysis and scope of work for a joint response with Waitsfield Champlain Valley Telecom to the Lamoille FiberNet CUD Request for Proposal for a Network Operator and Retail Service Provider.	8	0	0

Paul left at 5:41 p.m.

Discussion: Jan. 13 deadline is for challenges that will determine where the \$42 billion goes. The challenges submitted before January 13th will be processed through the FCC adjudication process to prepare a map for June 30th that will be used by the NTIA to determine the distribution of the \$42.45 billion. Each state will receive \$100 million. The remaining \$37.45 billion will be divided amongst the states based on each states percentage of unserved (less than 25 Mbps Down/3 Mbps Up) addresses relative to the unserved address across the country. This means that any address that is successfully challenged could result in considerable (up to \$15,000 per address). VCBB had not yet provided a plan on this - they have theoretically been working on a plan since June of 2022. In September of 2022 the FCC posted guidance on how to contest information provided by providers (which is advertised speed). On November 18, 2022, the FCC released its

[National Broadband Map](#). This is a compilation of data referred to as the “Fabric,” a dataset of all locations (premises) in the U.S. where fixed broadband internet service is able to be installed. ISPs submitted this information to the FCC’s [Broadband Data Collection \(BDC\)](#). Unfortunately, there is a large nationwide discrepancy between the data reported on the map and reality. They also provided [a mechanism for individuals to challenge](#) whether they can get that service at their address. The VCBB has supplied [this guide](#) and NEK Broadband has prepared [this guide](#). The executive committee discussed how outrageous it is to expect individuals to prove a negative and to provide documentation in a very short time frame that includes three holidays, with a consensus that the onus should have been on the providers to prove that the speed of service was available at the location. process them, and in June, they use that map to determine the distribution of the BEAD funding nationwide. Could there be a cut and paste letter to send to board members and communities?

Action Items:

Christa: Finding out if Rob or VCUDA to provide some draft paragraphs that can be used for a form letter to distribute to folks to create a protest campaign to the federal delegation, the governor, the PSD and the VCBB.

Evan: Reaching out to Megan @ Welch’s office to find out if there are other ways we can make noise, or be impactful?

Morgan left at 5:48 p.m.

For Governing Board meeting: Can we give an overview about FCC, a letter campaign to protest?

Adjourn

Motioned: Evan Carlson Seconded: Ray Lanier	For	Against	Abstain
Motion: to adjourn.	8	0	0

Drafted by:

Nedah Warstler, NEK Broadband, Clerk