



CVFiber Policy Committee Meeting Minutes

Thursday, Jan 27, 2022 5:00 PM - 6:00 PM
Virtual meeting

Present: Committee members Allen Gilbert (Worcester), Alexis Julien (public member), John Morris (Marshfield), and Siobhan Perricone (Orange).

A quorum being present, the meeting was called to order at 5:08 p.m. by Gilbert, chair.

Changes to the agenda. There were none.

Public comment. There was none.

Approval of minutes. The draft minutes of the Oct. 28, 2021 Policy Committee meeting were approved unanimously.

Review of current policies and procedures, with recommendations to Board for any changes. Gilbert explained that an annual review of current policies and procedures is required by CVFiber's Rules of Procedure, as well as the committee's charter. The current policies and procedures had been sent to committee members ahead of time for their review, along with several other documents related to the organization's operations. There was agreement the existing policies and procedures are in good shape, but Siobhan had a question about an item in the "tasks calendar," an operations document, that lists items the organization must do on a regular basis. Her question concerned the requirements for any special meeting of the CVFiber district; why does state statute pertaining to this say that meetings must be warned and posted "in at least five places of each town between 30 and 40 days of the meeting" as well as "be published consecutively for three weeks in a newspaper 'of general circulation' in the district?" she asked. Perricone said that wasn't consistent with how CVFiber special meetings have been warned and noticed. Gilbert said the statute pertains to meetings of the CVFiber District, which means all the people who live in all of our member towns. This isn't a directive for

the CVFiber board or committees; it pertains only to a meeting of the entire district membership. Siobhan suggested that it could be noted somewhere on the document that this was the case, so people wouldn't get confused.

Hearing no other issues from committee members, Gilbert said that there was a request for a change to CVFiber's Rules of Procedure concerning who can speak for CVFiber. The Communications Committee supposedly, through its committee charter, can develop, approve, and distribute various documents, such as press releases and updates; yet the CVFiber Rules of Procedure state that only the Governing Board chair, and board members given authority to speak on a specific matter, may represent or act on behalf of the organization. The Communications Committee wished to have a sentence added to the third paragraph of Section A., "Purpose and Authority," of the CVFiber Rules of Procedure to make clear the Governing Board has granted ongoing authority through the committee's charter for the committee to develop, approve, and distribute documents and other communications to the public. The paragraph as it now reads, is below, and the requested additional sentence is underlined.

Except as provided in 30 V.S.A. Chapter 82, no Governing Board member has authority to represent or act on behalf of the Governing Board unless by majority vote, the Governing Board has delegated such authority for a specific matter at a duly-noticed meeting, and such delegation is recorded in the meeting minutes. The Chair, however, without such specific authorization, may speak for the Governing Board on matters of policy as well as on actions taken by the Board. Committees may be delegated specific authority, through the charter granted each committee, to represent or act on behalf of the Governing Board regarding matters germane to the committee's activities.

Discussion of the proposed language ensued. No one saw any problem with the clarification. Perricone moved, and Morris seconded, a motion to approve the change. Approval was unanimous. Gilbert explained the proposed change will now go to the Executive Committee, and if approved there, to the Governing Board for consideration.

Gilbert had suggested, prior to the meeting, that the committee should take this time to think ahead and try to identify policies or other operational guidelines we may need when we start building our fiber network and hooking up customers. He said that already, he's been getting questions about how much CVFiber will cover of the cost of a connection, how much the homeowner might have to pay (particularly if the house is far from the nearest pole), whether there'd be service to people living off-grid, and so forth. He thought of it as a general discussion to identify possible topics, and then figure out how we could best reach out to other CUDs to see if they might already have policies that we could borrow from – or that maybe VCUDA and VCBB could lead so policies that are developed are consistent across the state.

Perricone pointed to the discussions we've had at our last few meetings about digital equity. She thought, and Morris agreed, that we should be thinking about defraying the cost of connections, perhaps through ARPA (American Rescue Plan Act) funds. As to off-

grid residents, Morris felt we should treat them no differently than those on the grid – although the CUDs are not obligated to do so. Gilbert said that his understanding, from talking with several electric utility people, that utilities are willing to foot the bill for the first 600 feet of stringing connections from their poles, but the customer pays anything after that. Perricone mentioned a right-of-way issue that had come up in her town of Orange – a man who owned a farm insisted he would not allow any utilities to string fiber or other lines on the poles that currently cross his land. He had contacted Perricone and told her Vermont statutes allowed him to refuse access to existing poles on his property, even if they are in a right-of-way, to string new cable. Committee members agreed this could be problematic. Morris raised the question of whether we planned to develop a fair use policy regarding data usage. While we are committed to net neutrality, and we know fiberoptic cables are robust, there is a limit to what they can carry. If we had someone who set up a business that was based around moving large amounts of data, it could negatively affect all customers. We may not want to meter anyone, but we need to think about excessive consumption. Morris also asked with whom we'd be connecting to move our data off our own system and out to the wider web; he feels that's important.

All agreed the discussion had been interesting and timely. Gilbert invited committee members to think more about possible policies or guidelines we should be identifying and researching.

Broadband equity issues – continuation of discussion. Tabled for the next meeting due to time and absence of several committee members.

Vice chair vacancy. No volunteers stepped forward to fill the post. Gilbert said we'll continue to try to fill the position.

Other business. None

Adjourn. The meeting adjourned at 6 p.m.

-- Allen Gilbert

Approved Feb. 24, 2022