

Selectboard Special Meeting Minutes

Monday, November 16, 2020 at 7 pm via Zoom video call

Continued to Tuesday, November 17, 2020 at 7 pm via Zoom video call

Present: Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair, arriving 7:14 pm), Rose Pelchuck (Member), John Brabant (Member), Clif Emmons (Member), ORCA, Katie Lane-Karnas (Recording Secretary), Judy Robert (Town Clerk), Nick Emlen, Regina Spillane, Hans Melhus

1. Call to Order: Denise Wheeler called the meeting to order at 7:02 pm.
2. Public Comment: Clif Emmons notified the group that tomorrow at 1:00 pm there will be a final walk-through to inspect and sign off on the exterior painting at the Town Hall (or ask the painter to address any issues identified). Anyone is welcome to join.
3. Review, Additions/Changes to Agenda: The Chair provided an update to the Board after having just attended an emergency video meeting for town officials and local legislators by the Agency of Human Services. Dr Levine and Secretary Smith ran the meeting. Dr. Levine compared the Washington COVID-19 outbreak to an Amber Alert-level emergency; there are currently 40 cases for every 10,000 people, and three times the positive rate of the whole state of Vermont. Washington and Orange Counties are the epicenter, with 40% of all the cases in the state located here. 72% of the outbreaks are from social events and parties. The Halloween party in Marshfield included Calais residents. The officials anticipate this wave will come in two phases, this is the first cycle. The Chair suggested AHS create a template that local officials use for posting to FPF; VT Alert messaging was suggested as a tool as well. The Chair will keep the Board updated. Calais has closed its offices; all municipal meetings are done via video call; Dr. Levine applauded these efforts.
4. LGER Grants: Clif Emmons reviewed that the Town has an opportunity for use of \$35,981 in grant funds that became available because of COVID-19's impact on local government. Clif Emmons, office staff, and the Chair met today to discuss prioritizing upgrading broadband and internet service at the Town Office. The LGER grant application identified potential uses of the funds to be an upgraded phone system (remotely utilized by office staff); a laptop setup for the zoning administrator; upgrading to a Zoom business account to allow for a greater number of participants and tools for meetings with greater numbers of participants such as at Town Meeting; and a way to update the broadband at the Town Office.

Regina Spillane, account manager for Consolidated Communication for accounts for towns in Vermont, joined the meeting to discuss providing fiber internet to the Town Office and the Town Hall as well. Consolidated Communications would have to invest to expand the fiber network and has provided a quote for 200 mb speed up and down: 5- and 3-year terms, \$108,000 and \$84,744 respectively. The group looked at a spreadsheet comparing the costs to

the town if \$25,000 and \$35,000 of the LGER grant money would be used as a down payment. At \$25,000 down payment, total contract cost would be \$54,320.40 and \$46,634.40.

To qualify for these grant monies, it needs to be done by the end of 2020. Nick Emlen commented that the contract states the work needs to be done by the end of the year, but it sounds like there is some room for work to be able to be finished up. Consolidated has a specific cue for installations needing priority due to COVID-19, losing no time in internal administrative issues of the orders. Six weeks is really quick for fiber builds, and she estimates at minimum one week before there is an installation date. They would be able to show “progress of a build” to provide documentation of the physical work accomplished. Regina Spillane confirmed that she believes Consolidated already has all the supplies and materials for this project. The group discussed the possibility of planning to connect to the Town Office first, and build back to the Town Hall.

This is an “enterprise grade” of service, which is fiber, symmetrical (not going over the phone line), an entirely different type of service than what homeowner customers in Calais have (cable modem or DSL). Any residential customer may pay for this type of installation. DSL and dedicated internet is not a tariff product; the state does not provide regulation like they do for phone lines. There is a service level agreement that goes along with this type of service. If it goes out for four hours or more, there are financial penalties to Consolidated written in to the contract. This kind of service is constantly monitored for any disruption to service. Calais would not own the line from Route 14 to the Town Office; Consolidated owns the lines and their technicians maintain them. There would be a dedicated level of service of fiber going directly to Calais’s two buildings and there would never be a degradation of service. In the case of a sale, a new company comes in and absorbs assets and liabilities; the only thing that changed for customers was the name on the bill. If others wish to connect from an access point from closer to their homes, they could potentially get a lower rate. It depends because it includes having a port in their office and other obligations; there is some infrastructure benefit when a home or business is closer to their fiber network.

John Brabant raised the CV Fiber effort looking to build out its fiber optic network for the benefit of the entire community; the Town would no longer be a contributor to that community project for rolling out fiber. Sharon Winn Fannon considered what that project could do with that much funding; the Moscow Woods stretch of road is not touching on a significant number of homes in the Calais community. Rose Pelchuck commented that the Selectboard learned about the entity at Lightning Ridge Road that was interested in putting in highspeed internet for two houses, and discussed with Consolidated what it would take to bring fiber up the road from the elementary school. Regina will look into this conversation.

CV Fiber would potentially be a competitor to Consolidated. John Brabant would be concerned if the Town expended the monies as presented if there was the potential for predatory practices between utilities that are not regulated. At the end of the day, Consolidated is obligated to its shareholders, not Calais residents or CV Fiber.

Regina Spillane explained that Consolidated does not typically allow access to fiber by outside businesses and she questioned how that could be written into any contract; she suggested talking to their legal department but highly doubted CV Fiber could be specifically allowed

any kind of fiber access. Consolidated may provide the same level of access to non-profit fiber providers as they would to customers and CV Fiber would potentially be a customer at a wholesale contract. Nick Emlen agreed with the reservations that John Brabant expressed. Judy Robert explained that doing grand list, taxes, finance, dog registrations, land records, listers, etc. is a complex governmental business serving over 900 property owners and 1500 residents and it is really hard to do work without broadband. She pointed out that this is a three-year contract with options at the end of that time period, radically changing the office to allow working remotely immediately. She contrasted the installation period for CV Fiber (four or more years out) and this option at six weeks out. Clif Emmons pointed out that CV Fiber is planning to build out their own infrastructure; in three-four years, there likely will be many additional internet options.

Using the entirety of the \$35,000 LGER grant funding as a down payment would result in a total cost to the Town of \$42,859.20 and \$38,808 (5- and 3- year terms). Regina said she felt strongly that Consolidated would not want to negotiate a contract that allows CV Fiber to access Consolidated's lines.

Calais's LGER grant application cited expanding broadband during pandemic; the Town was granted approx. \$35,000, for reimbursement to the Town, but completion of any project by the end of the calendar year. A less expensive phone system option may suffice (approx. \$3,000); the laptop is possible at less than the Treasurer's system; the Zoom business account, or additional license, ranges \$160-\$2,000. A new budget would include the monthly internet cost going forward.

Expanded internet to the Town Hall would make it a more robust use for office work and meetings. The Town Treasurer is working remotely often in NEMRC and can lose data and hours of work. The Town Clerk can only do part of her job at home and there is not enough internet access to allow herself and the Town Treasurer to work remotely simultaneously. Expanded internet would allow NEMRC to be on the cloud; going forward, a professional lister will likely also work remotely for the near future. Nick Emlen will communicate with LGER grant folks about gaining assurance around the timeline for installation using the funds. The group acknowledged the potential for pandemic conditions to persist for the significant future.

Sharon Winn Fannon asked if anyone has talked with CV Fiber. Clif Emmons spoke with David Healy who noted they are quite a way out from doing anything, and are talking about building up their own effort. The Town's rbTech support person is part of CV Fiber and is very supportive of the Town pursuing improved internet through Consolidated. The Town Clerk commented that she appreciates the thorough questions; that this change would be dramatically positive for the Town Office; and that she fears losing the opportunity for expanded internet service for working remotely.

John Brabant made a motion to apply \$35,000 of the LGER grant to this project, contingent on Nick Emlen getting a sign-off from the State on latitude regarding the timing of the project; and to notify Regina Spillane, government account manager for Consolidated Communications, to provide the contract.

Clif Emmons proposed a friendly amendment allowing the Selectboard Chair to sign the contract on behalf of the full Board after the Town's attorney reviews the contract. The motion as amended was voted and passed 4-1 (Sharon Winn Fannon voted against the motion).

The Selectboard reviewed budgeted areas that could be utilized to pay for the new monthly contract with Consolidated through the end of the fiscal year. The deposit that goes toward installation (\$35,000, paid out of the Town Office Reserve Fund) is the amount that will be reimbursed by the LGER grant (back to the Town Office Reserve Fund).

The Board considered what the monthly cost of business internet service will be at the end of this contract. Members raised concerns about understanding the potential monthly cost of service. The Town Clerk contributed that rbTech costs, due to calls that happen regularly to solve problems that originate from internet connectivity issues, could potentially be hidden costs that would be eliminated from this fiber internet connection solution. Rose Pelchuck thanked the other Board members for their good and thoughtful questions in making this decision.

5. Executive Session for Personnel Matters: Denise Wheeler made a motion to go into Executive Session at 8:44 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters. The motion was seconded by Sharon Winn Fannon, voted on and carried 5-0. The Board resumed Regular Session at 9:15 pm. The Chair reported the meeting will be continued to tomorrow, November 17, 2020 at 7:00 pm via Zoom. This will allow the Board to obtain some additional information and continue discussion.
6. Other Business/Old Business/New Business: None.
7. Adjournment: Rose Pelchuck made a motion to continue the meeting to tomorrow, Tuesday, November 17, at 7:00 pm. Denise Wheeler seconded the motion, it was voted on and carried 5-0.

Selectboard Special Meeting Minutes

Continued to Tuesday, November 17, 2020 at 7 pm via Zoom video call

Present: Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair), Rose Pelchuck (Member), John Brabant (Member), Clif Emmons (Member), Katie Lane-Karnas (Recording Secretary), Judy Robert (Town Clerk), Sandra Ferver (Town Treasurer), Nick Emlen, David Healy

8. Call to Order: At 7:01 pm the Chair noted that the meeting is being continued from last evening. The Selectboard sees a need to slow the process down and learn more.

John Brabant made a motion to rescind the motion from November 16, 2020, so the issue can be re-addressed. Denise Wheeler seconded the motion; it was voted and passed 5-0.

9. CV Fiber Update: David Healy, Calais Delegate to CV Fiber, explained that COVID-19 has affected the district's work, for example, re-writing grant applications in the changing landscape of internet needs during pandemic. He gave an overview of the district's efforts and status: it will borrow \$4 million with match money from the State. Sometime early next year, the first build of 120 miles of fiber will happen. This route will run from Moretown to Middlesex and Worcester. Calais is one of the towns with the highest number of homes with no internet in the state; there is some funding for areas such as us. \$16-17 billion is being bid on from the FCC for this purpose (rural broadband) over the next few months, and CV Fiber is competing with Consolidated on this. David Healy stated that the project as proposed will have an impact on CV Fiber's work, as they need as many subscribers as possible to serve everyone in the community. He will look into if and how CV Fiber could be the entity to build such a project to the Town Office before close of this year, which he projected would take a week to learn and get back to the Board. He will try to nail down whether there is any possible way to build something this year; if not this solution, he would put pressure on the CV Fiber Board to put Calais in the first build of the project (construction between March-December, 2021).

The Chair clarified that the main challenge is having staff work from home, when the connection at the Town Office is so poor. There is a significant ongoing expense because the service provider, rbTech, is called on regularly. Cloud Alliance is upgrading all of their towers, but it cannot reach Gospel Hollow.

Selectboard members shared their comments, each thanking David Healy. John Brabant commented that his concern has been that a Consolidated project could interfere with this community-run effort. The Town would be spending \$70-80K running a line that we do not own, whose use Consolidated would control and benefit from. He questioned whether this is a good use of public funding, when CV Fiber is bending over backward to cover the entire town. WEC has the skills and human power to participate in the infrastructure installation, rather than putting money into a private multinational company. The money would be invested in the community, ultimately lowering costs to all. There is a likelihood that the Town may be responsible for the \$35,000 grant monies because Consolidated will not commit to finishing before the grant deadline. He proposed exploring investing in an office space with high speed internet at the East Calais store for the Town to own or lease. Denise Wheeler added that there is already office space retrofitted in East Calais looking to be rented out.

Judy Robert commented that she needs to be in the Town Office because that is where the vault is located. This all got started when she went to rBTech, who recommended private companies, not CV Fiber; she acknowledged the unrealistic time line of the available grant funds. She expressed preference for working to improve the situation at the Town Office over an East Calais location. David Healy explained the details of a temporary tower in Gospel Hollow for improved internet option at the Town Office (and some surrounding roads).

The Town Treasurer described working remotely from her home as manageable, but she cannot stay in the office server reliably. The service at the Office building is intermittent, and her issue therefore is at the Office, not her home connection. The staff is looking to have NEMRC modules in the cloud (used by the clerk, treasurer, listers). This would allow all to work remotely, reliably. John Brabant reiterated the East Calais space would be a solution for use of grant funding to get high speed internet while maintaining social distancing and investing in the community. The Town Treasurer noted her preference to work from her setup at home.

Clif Emmons confirmed that the Consolidated contract is in the Town Attorney's office and would take a couple of days to review. He added the service provider, rbTech, would need to do a spec review of a contract. Clif Emmons agreed that all Selectboard members support CV Fiber and what they are trying to accomplish, as well as investing in the community; the option of utilizing CV Fiber was not on the table yesterday. David Healy confirmed that the speed of the Gospel Hollow tower option would support the NEMRC upload and download speed requirement. Clif Emmons explained there are other things grant funds can be applied to outside of the increased internet speed.

Rose Pelchuck commented that this is a very productive conversation and thanked David Healy for his presentation and everyone for gathering more information. She agreed with Clif Emmons that it is important to slow this conversation down to make the best decision for taxpayers and bring better internet to Calais. She appreciated the Office Staff's work every day to do the work of the Town while dealing with these interruptions. She would be more inclined to work with CV Fiber, as the Town has wholeheartedly endorsed their efforts bringing a utility to the entire Town.

Sharon Winn Fannon considered if servers can be moved to the high-speed internet location in East Calais. Clif Emmons noted it is theoretically possible but rbTech would need to be consulted to learn if it is practical to get the functionality the Town needs to achieve and whether there may be other IT considerations beyond what can be imagined in this moment. Sharon Winn Fannon stated her support of CV Fiber's efforts to bring internet to everybody in Calais and noted the Town Treasurer's comments that she is managing remotely for now.

Nic Emlen commented that he has been speaking with CVRPC who has been then communicating his grant questions to the Department of Taxes; he'll speak directly with them tomorrow to gain more clarity on latitude around timeline.

The group planned to meet again with David Healy and continue this discussion on Monday November 23, 2020. The Chair appreciated how dedicated Town Office staff have been getting work done during this time. She noted her support for CV Fiber and their work in Calais. The group decided to have the Town Attorney stop review on the contract from Consolidated. They planned to compile a list of potential uses of the grant money that can be built out before the end of the year. The Town Clerk inquired if there is a map or listing of the most impacted areas of Calais (in terms of no internet); David Healy will locate it.

10. Adjournment: Rose Pelchuck made a motion to adjourn at 7:51 pm; John Brabant seconded the motion. It was voted and passed 5-0.

Date: 11/17/2020 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary
Approved by the Selectboard at the 11/30/2020 meeting