

NEWBURY TELECOMMUNICATIONS RURAL ECONOMIC DEVELOPMENT  
INFRASTRUCTURE DISTRICT

Monday, January 13, 2020

4:30 PM, Space on Main

BOARD MEETING MINUTES -as approved on Jan 27, 2020

**Board Attendees:** Claude Phipps, Chair, Bonnie Taylor, Lenice Cicchini, Brad Vietje, Ed Child, Liane Allen (via Internet), Luke Birch, Dan Burwinkel

**Guests:** Connie Philleo, Rick Hausman

*Next Meeting is the Annual Meeting, Jan 27, 2020, Space on Main, Bradford 4:30 PM*

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Claude opened the meeting at 4:35 PM

**Lenice** reported on the search for a meeting recorder. She left a voice message for Jacqueline Labate, but Jacqueline didn't respond and didn't attend this meeting. Lenice will follow up and may contact Linda Duxbury. Brad indicated that his wife, Linda Ide, might be available for the meeting recorder position.

**The Minutes** of Dec 23, 2019 were approved as digitally distributed prior to this meeting.

**Treasurer's Report** Claude indicated that the past balance, \$11,681.76, remains unchanged, but he will shortly cut a \$400 check to Space on Main for meetings in the facility for the coming year.

**Clerk's Report:** Meeting dates for the year, as approved, are in Ed's minutes of the last meeting. Those dates will be ratified by a vote at the Annual Meeting, Jan 27.

Brad wrote a draft summary of REDInet accomplishments in 2019 for the town report and shared the summary with others for their review and comment. Brad also passed around a paper to get an official list of board members' names and contact information. These names will be presented to the Newbury Selectboard for formal appointment.

**Annual Meeting:** Claude reviewed the proposed annual meeting agenda, which includes the election of board members and officers, and a presentation of the annual budget to the voters of the district. (Claude noted that the voters consist of the board and subscribers to the network, of which there are presently none.)

Claude asked for officer nominations. Claude is willing to stay on as president and treasurer and Lenice is willing to remain as VP. Brad is stepping down as clerk. Bonnie is considering the clerk position. If she declines, Brad will contact Dan to see if he is interested. (Dan had not yet appeared at the meeting.)

**Consultant:** Tilson, our chosen consultant, sent a rough contract. Claude asked Newbury Town Attorney Jim Barlow to review the contract, but Barlow initially demurred. Eventually, Barlow got involved and made several proposed changes. Liane had earlier noted that subsection 8c was questionable. This section granted exclusive ownership and control of the consultant's work to Tilson itself. At Claude's initiative, subsection 8c was taken out entirely. The document needs to be

renumbered. Barlow thinks of this as a two-party contract—the third party, the town, has only a supervisory role. The contract is currently at Tilson for their consideration as revised by Barlow, Claude and others.

Luke questioned whether the Tilson contract is comprehensive enough. He has worked with Tilson in the past, and he detailed some areas of the proposed feasibility study that would need to be covered in great detail to ensure that the study is useful for business planning and perhaps for construction bidding beyond CCI. An ideal feasibility study would demonstrate the real costs of network construction with 90% accuracy.

Claude said that Tilson will be reviewing the contract this week, and we'll go from there to get the contract signed.

**Contract with Consolidated Communications for Engineering Study.** Ed displayed the CCI Engineering Study on the screen. Claude is concerned that the Topsham Tel area of Newbury remains included in some communications from CCI. Luke was asked about the differences between GPON and EPON architecture. Luke noted that EPON is far less expensive, but that CCI was likely to insist on GPON because of prior proprietary arrangements. Dan indicated that the cost savings from using EPON alone might justify going with another provider using EPON. Luke described his experience in constructing a fiber service in Islesboro, Maine. The Islesboro network serves 1,400 homes and cost only \$3 million, despite the fact that it is on an isolated island. The service offers up to one gigabit for \$30/month after taxpayers provided an initial minimal amount. Luke described network maintenance issues and noted that end-user equipment may last as little as 3-years.

Dan urged that REDInet own all its fiber and not create a hybrid system with CCI owning some of the fiber. Liane pointed out that there are differing types of fiber. Luke highlighted the need for redundancy in network design, noting that CCI's network proposal is based their existing copper network and may not be the ideal design for Newbury.

Luke agreed to review the CCI engineering study and make written comments. Bonnie urged that Luke be involved when the Work Order with Tilson is negotiated.

**USDA Rural Development Grant** Claude is still working with Susi Poland of USDA to get clarity about contractual responsibilities, including required quarterly reports. Attorney Jim Barlow indicated to Claude that he doesn't feel qualified to deal with laws around telecommunications. He recommended we talk to Michael Birnbaum of Kingdom Fiber. Claude contacted Birnbaum who recommended attorneys Leslie Cadwell and Paul Phillips. Claude will contact them and hear what they have to say.

The USDA grant needs to be wrapped up by July 2020, so there is some urgency to get the Tilson contract going.

The meeting was adjourned around 6:20 pm.

Respectfully Submitted,

Rick Hausman 1-13-2020