



November 19, 2025 – **5:00 PM**

OTTER CREEK CUD GOVERNING BOARD MEETING

MINUTES

LOCATION: Rutland Regional Planning Commission, 2nd Fl., Conference Room
16 Evelyn St., Rutland VT

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Meeting ID: 250 982 877 420 60

Passcode: vC2MA6La

DIAL IN BY PHONE:

[+1 802-440-1368, 985008457#](tel:+18024401368)

2025 - Otter Creek CUD Governing Board Representatives & Alternates: (8 for a Quorum)					
MEMBER TOWN	REP NAME / ALT NAME	P/A	MEMBER TOWN	REP NAME / ALT NAME	P/A
Benson	Steve Murray / Lynn Bowen	P	Pawlet	Jessica Van Oort	P
Brandon	Peter Werner / Bill Moore	P	Pittsford	Brett Mullin	A
Castleton	Leslie Cadwell/ Tim Munks	A	Poultney	Mark Teetor / Paul Donaldson	A
Fair Haven	Sam Lucci	A	Rutland City	Paul Clifford	P
Goshen	Alyza McKeighan	P	Shrewsbury	Laura Black	P
Hubbardton	Chris Custer	P	Sudbury	Mike Small / Tom Myer	A
Mendon	Larry Courcelle / Val Taylor	P	West Haven	Kerry Ellis / Jennifer Book	P
OCCUD Treasurer (RRPC): Anna-Maria Barucco		A	P= Present, A= Absent		
Host (RRPC): Nic Stark		P	Guests: Caleb Boone - P		
District Non-Member Towns: Chittenden, Rutland Town, Wells, West Rutland					

1. **Call to order.** Meeting called to order at 5:03pm with quorum present.
2. **Approval of agenda** - Motion to approve the agenda by Steve Murray; second by Larry Courcelle; agenda approved unanimously.
3. **Public Hearing on 2025 Annual Summary Report and 2026 Budget**
 - Public hearing opened for the Otter Creek Communication Union District 2025 Annual Summary Report and 2026 Budget.
 - No members of the public present; hearing closed with no public comments.
 - Document includes a short history/summary of Otter Creek for new members and municipal folks.



4. **Open to the Public.** No public present.
5. **Approval of previous meeting minutes – 8.20.2025.** Motion to approve by Larry Courcelle; second by Steve Murray; approved. Note: Laura noticed minutes had switched to bullets instead of numbered items and will correct next time; considering using AI-generated notes for executive committee minutes (will still edit AI output).
6. **Report from 11.11.25 Executive Committee meeting.**
 - Executive committee met last week; reviewed warrants and agreed to bring them forward to the board.
 - Financial policy reviewed, edited with Mary Kay Scaza (Rutland Regional Planning Commission), and brought forward in improved form.
 - Bylaw amendments presented to and approved by the executive committee to bring forward to the board.
 - Annual report and budget reviewed; added explicit wording that the district is not seeking federal funds as universal service plan is complete.
 - Sustainability committee activities were reported;
 - Quarterly reports from each provider reviewed.
 - VCUDA updates reported by Larry and Laura; VCBB items discussed.
 - Clarification on wording: Laura amended her earlier statement - Consolidated Communications / Fidium has one of the “lowest cost” available broadband service among providers in Vermont, which is not the same as "affordable." Mike Small had spoken to Affordability for broadband customers and the need to support an Affordability bill in Vermont.
 - Operational expenses run roughly \$2,500–\$3,000 per month.
 - Auditor requested executive committee review/approval of paid warrants as a post-approval review; the governing board was asked to approve the warrants in this meeting as part of that process.
7. **Review of August, September, October 2025 Warrants.** Warrants for August, September, and October 2025 were presented (previously approved by chair and executive committee) and approved by the governing board. Combined roughly about \$6,500 for the three months.
 - Motion to approve review of warrants by Larry Courcelle; second by Peter Werner; approved.
8. **Financial Procedures-Policy.** OCCUD Financial Policy and Procedures document, dated 11/19/2025 presented by Chair Black with request to adopt. The following comments were made during presentation as follows:
 - The Construction grant is essentially over as Chair Black notified VCBB on June 30, 2025 that no further invoices would be submitted. The grant’s end date is December 31, 2025 though the State may choose to close the grant earlier.



- The Pre-construction grant end date was discovered to be Dec 31, 2025 (instead of 2026!); Chair Black has requested an extended end date of Sep. 30, 2026; VCBB staff has agreed to amend. Amended grant certificate will be sent to the Chair.
- Treasurer additional duties going forward: Treasurer will prepare quarterly financial summary for executive committee and governing board including bank balance, annual expenditures to date, and beginning/ending quarterly balance of pre-construction grant.
- On Audit - Single audit threshold discussed; threshold amount referenced as \$750,000 (it is based on the grant year, per Mary Kay); Otter Creek will be well under that amount because the large Consolidated invoice from April relates to 2024 and will not be part of 2025 totals, thus keeping totals under audit threshold.
- **Motion to adopt** the OCCUD Financial Policy and Procedures dated 11/19/2025: Motion by Paul Clifford, seconded by Peter Werner, adopted unanimously.

9. **Bylaw amendments.**

- Bylaw amendments presented in track changes and adopted (dated 11/19/2025).
- Key changes:
 - Added paragraph: towns have the right to withdraw as a member town and become a district non-member town or city (non-member towns do not appoint a delegate and do not have voting rights).
 - District non-member towns are not considered to own any assets of the CUD; they may request to rejoin and become a district member town at any time.
 - Changed terminology: "secretary" changed to "clerk" throughout to match statute; wording refined - Jessica suggested concise phrasing for clerk duties ("the clerk of the district shall execute all duties").
 - Added language (from statute) that the governing board may delegate authority to perform treasurer duties, provided the process is described in the duly adopted Otter Creek CUD financial policy and procedures.
 - Added statutory sentence: "The treasurer shall render a statement of the condition of the finances of the district at each regular meeting of the board."
- Motion to adopt the Otter Creek CUD bylaws dated 11/19/2025: moved by Larry Courcelle, second by Peter Werner; adopted unanimously.

10. **Sustainability Committee report**

- Committee has been meeting weekly (now taking a break); members meeting together with Lamoille Fibernet CUD and Southern Vermont CUD.



- Participants and contacts: Lamoille's new board chair Andrew Ross; Lisa Birmingham (Lamoille exec director still on as contracted consultant); Southern Vermont CUD board chair Terry Dorsey.
- Decision: stick with the interlocal agreement rather than pursue a legal merger due to cost considerations; merger more expensive to develop.
- Reviewed operational costs (website, emails, insurance) and worked to get operational budget numbers down; each CUD still a couple thousand over target but close.
- Reviewed Insurances (DNO and General Business). Met with insurance agency to review costs; Otter Creek's insurance cost slightly less than Lamoille's but not dramatically different. OCCUD representative Peter Werner (professional insurance expert) joined the meeting to assist on Directors & Officers and general business insurance. The group confirmed that Consolidated contract includes indemnification for the CUD if a CUD is implicated in a lawsuit based on something that happened with Consolidated. The group confirmed the requirement to receive Consolidated certificates of insurance annually.
- Discussed using pre-construction grant funds in 2026 to hire a consultant to pursue additional grant funding; Consolidated previously agreed to fund the three CUDs to a specific amount under a contractual agreement.
- Group meets Wednesday mornings at 9:00 AM; may reduce frequency to once every two weeks as things settle.

11. **CCI Quarterly reports** - Quarterly reports received and reviewed; Laura and Larry meet quarterly with Consolidated (Go Net Speed). Reports show good net promoter score; speed and latency reports are excellent.

12. **GNS Quarterly reports** - Reports described as "clunky" and minimally formatted; Go Net Speed is not required under funding to present full reports until 2026, so reports expected to improve in 2026. Minimum speed numbers in reports are sometimes inconsistent due to outages or isolated incidents; however, average speeds are very good. GNS provided a manual customer response extract for Otter Creek area: about 15–16 reports, mostly positive with one disgruntled customer related to a construction/installation delay. GoNetSpeed is performing a network upgrade with a planned disruption: December 10 (predicted ~15 minute outage in a maintenance window from 11:45 PM to midnight); Board members (Steve Murray, Chris Custer) reported receiving customer notifications via mail and email from

13. **VCUDA report**

- VCUDA reviewed their budget and will keep annual dues at \$10,000 per year.
- Otter Creek indicated that after 2026 it may not pay full VCUDA dues and might negotiate reduced membership or have the three CUDs share a single membership; discussions ongoing.



- VCUDA tracks legislation; two bills expected in the House next session: a consumer protection bill and an affordability bill.
- VCUDA provided comments on the consumer protection bill; sponsor (Laura Sbilina) asked about continued involvement of VCUDA if the bill moves forward.
- BEAD funding concerns: federal allocation to Vermont (\$120M) may be reduced substantially (NTIA reportedly considering taking \$100M back leaving \$20M), impacting CUD buildouts; situation is "wait and see."
- Affordability topic noted: affordability legislation would need to apply across all ISPs (e.g., Fidium Fiber, Comcast/Xfinity, GoNetSpeed), which could be challenging for smaller CUDs still building out.
- VCUDA Legislative Day scheduled for January 29, 2026; format and attendance being planned.

14. VCBB report

- Otter Creek annual summary report and 2026 budget submitted to VCBB.
- VCBB asked whether the district is seeking additional federal funds; Laura added explicit wording that Otter Creek is not seeking federal funds because its universal service plan is complete.
- VCBB requested pricing information; Chair Black provided GoNetSpeed pricing received from rep (Fidium pricing is publicly available for some areas; GoNetSpeed pricing is address-specific on website).
- Laura is coordinating with VCBB on amending pre-construction grant dates and on closing the construction grant; VCBB staff agreed to amend and will provide documentation.

15. Other Business - None

16. Next meeting - 2.18.26

17. Adjourned @ approximately 6:03 pm

Happy Holidays!