TOWN OF CRAFTSBURY
SPECIAL SELECT BOARD MEETING MINUTES

TUESDAY, OCTOBER 22, 2024
7PM | CRAFTSBURY TOWN HALL

Present: Alison Blaney, Jim Jones, Bruce Urie | Rudy Chase, Brian Machesney

Meeting Agenda | Fiber Asset Transfer Agreement

Jim called meeting to order at 6:30 PM.

- **Action – Approve / Sign the Fiber Asset Transfer Agreement**

NEK Broadband Board Members for Craftsbury Rudy Chase (primary representative) and Brian Machesney (alternate rep) met to discuss final changes, adjustments to fiber asset transfer agreement (to NEK Broadband CUD). Mr. Machesney led discussion: after Select Board signs agreement, Town has no further responsibility; have not pledged the asset as collateral in any agreement. Two new issues:

A) September 23: would like an effective date of 9/23 in agreement; signature date will show as date of actual signing; however, effective date will show as September 23, 2024.

B) Pole attached/attachment licenses: #1 transfer; pole attachment issues - incorrect position on poles, etc.; this is something over which Kingdom Fiber Founder and CEO Michael Birnbaum will have responsibility for repairs, changes, corrections, etc. Poles have not been examined in detail. #2) Request to transfer pole attachment licenses resulted in a new section: agreement assignment – transferring together with physical asset (pole attachment licenses and lease with Kingdom Fiber; must include – had been omitted). #3) transfer of grant responsibility: also in agreement #4) representation and warranties: transferee will ensure that FTC services are provided.

Two concerns: distance is a policy of CUD; determining customer needs in terms of distances (aerial and underground). Rates – changed to read: "transferee (CUD) will ensure the fiber network will make… in a manner consistent with similar premises within…territory…commercially reasonable rates…"

Everything else about agreement remains the same as previously presented. Ready for vote: **Alison motioned that the Select Board sign the revised Transfer Fiber Asset Agreement presented at meeting; Bruce seconded. All ayed. Motion passed.** Original document to be submitted to State: copy on file with NEK Broadband, Town Select Bord. Mr. Machesney will email final, signed PDF version to Town Clerk for posting on web site.

- **Adjournment –** Meeting adjourned at 6:41 pm.

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Respectfully submitted,



Victoria Hudson
Select Board Clerk