

# VCUDA

*The Vermont Communications Union Districts Association serves to unite the interests of Vermont's municipal internet networks, devising ways to share resources and voicing CUD consensus on critical policy issues.*

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# About the Communications Union Districts

- CUDs are independent governments created under 30 VSA 82 by Town Meeting votes of two or more towns and may admit additional member towns if Selectboards request and CUD board approves.
- A CUD is a special-purpose municipality whose legislative body consists of one voting representative per member town, appointed by the town.
- **CUDs cannot obligate member towns in any manner.**
- **CUDs cannot obligate citizens within its District in any manner.**
- **CUDs have no taxing power.**
- CUDs were created so ECFiber could access the municipal revenue bond market.
- CUDs are now being used to funnel federal grant funds into building out broadband.
- Goal is to bring broadband to every home and business in the state.
- ECFiber finished its original 23 town mission using \$70 million in bonds.

Communications union districts (CUDs) were created ... to coordinate and implement creative and innovative solutions in their respective territories, particularly where existing providers are not providing adequate service that meets the needs of their residents and businesses ...

Vermont Act 71 2021  
Findings and Intent (13)

***CUDs are Mission-Driven.***

# Vermont Communications Union Districts

CUD Governing Boards consist of 1 voting delegate per town plus alternates.  
CUDs do not have meeting spaces, have large boards, and cover large geographic areas



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Chittenden County CUD  
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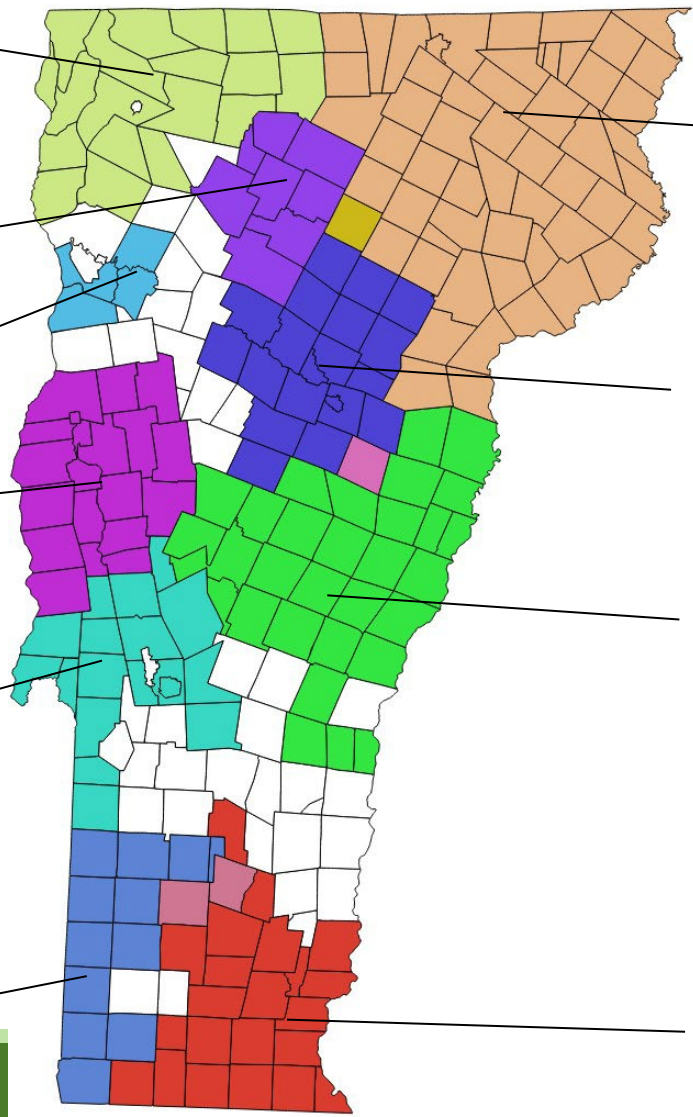
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# Current CUD Meeting Practices

- Except ECFiber and CVFiber, CUDs originated during COVID emergency provisions
- All-electronic under current emergency provisions for all meetings except:
  - Maple Broadband and Southern VT have a physical location some board members use but no member of the public have ever attended
  - NEK Broadband, which delegates most decision making to Exec Comm, has 2 full board meetings annually done in person with a hybrid option
- ECFiber has established policy to provide physical location if requested
  - Since July 2021, ECFiber has allowed members of the public to request a physical location. No requests have been received over 41 months and more than 200 board and committee meetings

# Facilitating Participation



## Supporting the public and members of public bodies

- Need to balance accessibility for all stakeholders
- Ability to participate is critical to ensuring the broadest range of CUD delegates
- Single physical location in a large district unlikely to be the best location for the requestor, and may not be accessible in practice
- All CUDs support hosting a physical meeting upon request, which would better accommodate the location of requestor(s)

## Suggested Change

- Consider amending definition of “advisory bodies” to include political subdivisions or instrumentalities over a certain size (example: 10 towns, 500 square miles)
- Consider adding a third sentence to 312(4) Electronic meetings without a physical meeting location that reads:

***A Communications Union District may by resolution or by-law establish electronic meetings without a physical location for all regular meetings of its legislative body and sub-committees.***

# Additional Points

- Terms ‘supervision’ and ‘budgetary matters’ in the definition of “advisory bodies” are not well-defined
- Requests for access (j):
  - Requests for access “in writing” is very broad; consider limiting to requests to official channels such as to an official office or email
  - Requests for access to “a series of regular meetings” could be a de facto request for access to all future meetings
- Clarifications around public participation in public meetings while allowing meeting organizers to protect against “Zoom-bombing”
- Consider adding a VCUDA representative to the Working Group because of large district size and our experience hosting remote meetings
- Consider using the resources of the state as a repository for meeting recordings and for a state-wide electronic calendar of meeting notices