

TELECOMMUNICATIONS ADVISORY COMMITTEE (TAC)
REGULAR MEETING

Contois Auditorium
November 24, 2009

Minutes

TAC Members:

Present: Tim George, Geoffrey Wyman, Steve McIntyre, Tom Hyde, Jan Schulz, David Pocius, Pete Jewett.

Also in Attendance:

Burlington Telecom: Amber Thibeault

Burlington Telecom: Chris Burns

Burlington Telecom: Mike Flora

City of Burlington Legal Counsel: Ken Schatz

1. Convene meeting of TAC at 4:05 p.m.
2. Approval of today's Agenda
 - a. **MOTION** to approve the Agenda for today's TAC meeting by Schultz, seconded by Wyman. *Unanimous.*
3. Public Forum
 - a. None
4. Approval of Minutes from the prior TAC meeting
 - a. **MOTION** to approve the minutes from the TAC meeting of 10/27/09 by Schultz, seconded by Wyman. *Unanimous.*
5. Discussion pertaining to Burlington Telecom's request for TAC members to sign a Non-Disclosure Agreement
 - a. Ken Schatz addressed NDA for TAC Members.
 1. Advisors not bound by normal city fiduciary guidelines so it is recommended an NDA is needed to protect the TAC members as well as the City of Burlington and that no one individual can make the determination as to what is confidential.
 2. Content determines if a document is confidential (i.e. trade secret)
 3. BT is obligated to identify and mark documents as "Confidential".
 - b. Pocius stated: What is confidential vs. public should be determined by the State of VT Public Records Act.
 - c. Pocius stated a "Dispute resolution needs to be outlined in the current proposed NDA.
 - d. McIntyre: Looking for Public request history. BT will provide.
 - e. George: Stated everything that is confidential should be labeled "Confidential"
6. Discussion pertaining to BT's relationship to the city, in particular what legal constraints a municipally owned business faces.
 - a. McIntyre: Asked who is the Head of Burlington Telecom?
 - b. Burns: BT is part of the City of Burlington.
 - c. McIntyre: Is there financial info BT would share with BOF/ City Council but not the TAC.
 - d. Burns: BT presents all material to BOF/ City Council.
 - e. Schatz: TAC can technically go into executive session and an NDA would allow discussion of confidential information.

7. General Manager's Report, Part 1

1. Chris Burns report:

- a. Burns was sponsor of New England Regional Ice Skating Championship.
It was the 1st time ever there could be live scoring via the internet provided by BT.
- b. BT is a "First Night" sponsor.
- c. BT continuing responses to DPS, PSB, Comcast and 2 City Council committees.

2. Schultz asked if competition can do 20m/20m symmetrical?

- a. Burns: No one else can do symmetrical
- b Schultz: What are some of the application for sym?
- c. Burns: Peering and large filing sharing.
- d. Shultz: What would a business pay for 20m.
- e. Burns: Resi only at this time.

3. Wyman: CSR efforts at this time?

- a. Training of CSR's continues
- b. Training budget has increased.
- c. Engaging in door to door sales.

4. General Discussion followed on expansion beyond City of Burlington and any inquiries from any communities.

8. General Manager's Report, Part 2 (Executive Session)

NONE

9. BT's perspective on CAC Cable Carriage policy

- a. Burns suggested BT to receive CAC policy and review with BT management team.
- b. **MOTION** to approve 9/22/09 CAC Cable Carriage Policy and Public's Right to Petition as amended by Wyman's changes and be forwarded to BT for comment by Schultz, seconded by McIntyre. *Unanimous.*

10. Jan Schultz - Audit Committee report.

- 1. 3 meeting have been completed. City Auditor will conduct Audit during the normal audit cycle.
- 2. Telecom consultant will be hired to review business plan.

11. Adjournment

- a. **MOTION** to adjourn by Schultz seconded by Wyman at 6:15 p.m. *Unanimous.*