

**Town of Sturgeon Bay
Broadband Internet Committee Meeting
Door County Library
February 8, 2024, Minutes**

1. **Call to Order:** The meeting was called to order by David Wood at 3:02 PM.
2. **Establish quorum:** Committee members present: Jeff Feuerstain, Randy Graf, Cathy Eckers, Virtual: David Wood, Pam Kraase. Absent: None
Also present: Hugh Zettel, Jason Bieri (Sturgeon Bay Utilities), Jessica Hatch (3:12 pm), Dan Maggle (community resident)
3. **Adopt agenda:** A motion to adopt agenda made by Feuerstein and seconded by Graf. Motion carried.
4. **Approve minutes:** A motion to approve minutes as corrected for the January 25th, 2024, meeting made by Feuerstein; seconded by Graf. Motion carried.
5. **Correspondence:**

Jacksonport's community newsletter was shared. The newsletter is updated as progress is made informing their town residents of the current status of their internet project, along with FAQs. Zettel stated that Jacksonport's contract with Frontier was signed last summer. They have invited residents to town meetings and have communicated with residents the five zones of their implementation. Wood suggested we add this topic to a future agenda so that we can discuss how we will be communicating with our town residents.
6. **Public comment:**

Dan Maggle stated he is attending in order to receive an update since our fall public meeting. He is interested in where the town and this committee are in the process and the proposed timeline. Feuerstein stated that our town and this committee are in the process of looking at the contracts already signed by other townships in order to draft our contract. Once our contract is signed, our town needs to begin the payment schedule as specified under the payment terms. Our cost share with AT&T is 60/40, which is a bit less than other townships due to the lesser density of our town. We have about one third of the locations as the Town of Sevastopol. Maggle also discussed the fact that the town of Clay Banks is going with a company that will be burying all of their fiber, rather than running fiber mostly on poles, unless previously buried, as our town will have with AT&T. He asked about the longevity of our project. AT&T will take on all maintenance costs. Because of the lesser bid cost, along with the fact that Sturgeon Bay Utilities feels their utility poles should be good for a long time, our committee feels that this is the correct path for the town to proceed. Feuerstein stated once this committee forwards recommended changes to our town board, the board will work with the town attorney to come up with a contract to be voted on by the board. The vote will

hopefully happen at the March town meeting, along with the approval of the town resolution. Discussion held on how to disseminate updated information to the town residents. Eckers mentioned that the FAQ section on our town website no longer loads, so Wood will speak to Nancy Anschutz about this. He also plans to work on another update to those FAQs to be looked at by the committee at their next meeting.

7. Old business:

a. Discuss broadband maps, review strategy, and challenge process. Eckers will use the list provided by the county last year and update the locations from the work done by Kraase and Eckers last fall. Eckers will send the list to the committee members prior to the next meeting. The committee will go through the list at the next meeting.

b. Discuss BEAD eligible location data. To be discussed at the next meeting.

c. Discuss USDA Loan and other financing options. During the USDA Grant and Loan webinar that Graf and Eckers attended on February 7th, it was stated that the loan applicant must own and operate the equipment; therefore, this program will not be an option for our town. Feuerstein stated he will renew conversation on a town loan through the Board of Commissioners of Public Lands. Wood will reach out to AT&T to make sure they do not plan to apply for the USDA loan/grant program. Hatch stated that the CPF grant awards that had been expected in March are now pushed out until early spring.

8. New business:

a. Review Town of Egg Harbor and Town of Sevastopol contracts with AT&T. Wood went over the contract and made notations on the differences in the contracts. Zettel stated that he went through Vanderburgh County Indiana in order to prepare the Town of Sevastopol's contract. In the terms of conditions, the Town of Sevastopol included a clause that references AT&T's RFP. Sevastopol also added a 90 day clause for a work start date. They also added language that even if a new building isn't on the list, there will be a good faith effort by AT&T to connect them.

b. Discuss initial contract with AT&T. The committee performed an item by item review of the differences between the contracts signed by the Towns of Egg Harbor and Sevastopol contract and discussed which language should be adopted in the Town of Sturgeon Bay contract. Main points include the following: Wood will include any changes in the version presented to the town attorney for approval. Wood will also request that our completion timeline be requested to be 18 months, versus 24 months. Bieri stated that contractor help will be an issue and it will be difficult to get them to reduce the timeline to 18 months. Wood stated that even if it were changed to 18 months, the contract does contain other language that would make that non-enforceable. Zettel stated that the sooner the contract is negotiated, the better, because then AT&T could have the projects of all three towns done using the same resources. Wood stated that our town would want to use basically the same language as the Sevastopol

contract. He also is wondering whether or not the town wants to proceed prior to the grant awards. Hatch stated we need to review the grant requirements to make sure that, should the town sign the contract prior to the grant awards, it would not affect the grant. Some grants do not allow for work to begin prior to the award. Our town does have an advantage with the SBU make-ready poles, so the deployment should be quicker. A clause will be added that AT&T will provide service for at least a period of twenty years. Discussion held on what will happen if AT&T does not receive a CPF grant for the town. Discussion held on the contract clause on the additional cost for those residents who need more than 1000 feet to connect. The hope is to get our edited contract to Attorney Randy Nesbitt enough in advance of the March town board meeting so that they can review and make any changes before they vote on it in March.

9. **Matters to be placed on a future meeting agenda:**

a. Outreach to residents regarding service for new construction and secondary buildings.

10. **Next meeting date:** Thursday, **February 22, 2024**, from 3:00 to 5:00 pm in Meeting Room 1 of the Door County Library.

11. **Motion to adjourn** made by Kraase; seconded by Graf. Motion carried. Meeting adjourned at 4:32 pm.

Respectfully submitted by Cathy Eckers, Recording Secretary